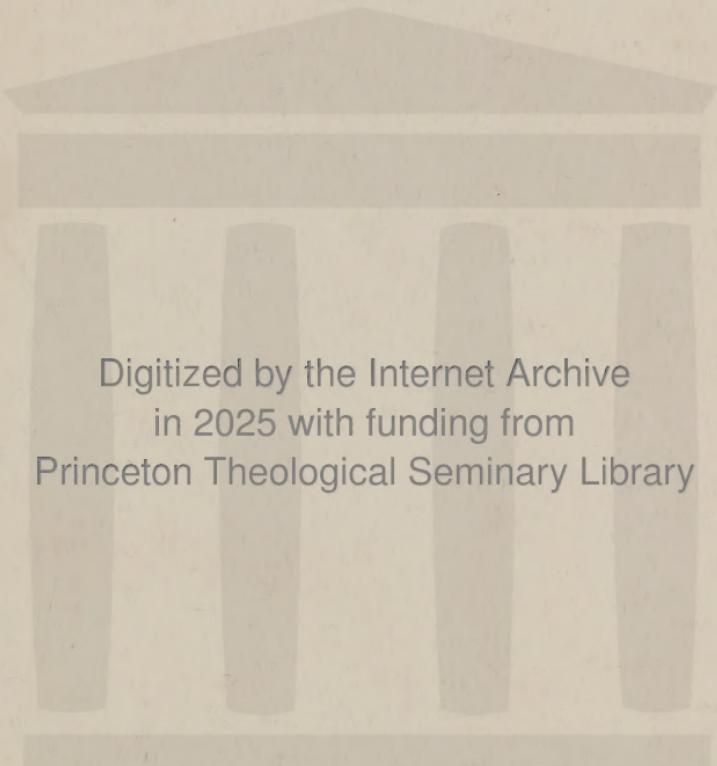




BR 756 .J6 1932 v.2
Jordan, W. K. 1902-
The development of religious
toleration in England



Digitized by the Internet Archive
in 2025 with funding from
Princeton Theological Seminary Library

THE DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

By the same Author

THE DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

FROM THE BEGINNING OF THE ENGLISH REFORMATION
TO THE DEATH OF QUEEN ELIZABETH

"Dr. Jordan . . . has given the student of English history a much-needed book, a judicial summary of the evidence on the subject of religious toleration in England in Elizabethan times. . . . His book is excellent and not the less excellent that it develops many themes on which many students have unsettled views."—*Contemporary Review*

"The author has read widely, exercised a judicious criticism, and has expressed his views with admirable moderation."—*Church Quarterly Review*

"A great range of almost forgotten books and pamphlets, much of it scarce and some of it almost inaccessible, is brought to light and subjected to a very thorough analysis and criticism. . . . No praise can be too high for the zest with which the author has approached his exacting task, and for the skill with which he has reduced his cumbrous material to order."—*History*

"Dr. Jordan . . . has made his long book historically most impressive, and discharged his task in a manner which suggests that about this book there is a certain finality."—*Fortnightly Review*

LIBRARY OF PRINCETON
MAY 6 1937
THEOLOGY SEMINARY

THE DEVELOPMENT
OF
RELIGIOUS TOLERATION IN ENGLAND

FROM THE ACCESSION OF JAMES I TO THE CONVENTION OF
THE LONG PARLIAMENT (1603-1640)

✓ by
W. K. JORDAN, PH.D.

*Instructor in History and Tutor in the Division of History,
Government and Economics in
Harvard University*

LONDON
GEORGE ALLEN & UNWIN LTD
MUSEUM STREET

FIRST PUBLISHED IN 1936

All rights reserved

PRINTED IN GREAT BRITAIN BY
UNWIN BROTHERS LTD., WOKING

TO
F. R. J.

P R E F A C E

The first volume of this work, dealing with the period from the beginning of the English Reformation to the death of Queen Elizabeth, appeared in 1932. In the earlier volume an attempt was made to define the philosophical and historical roots of tolerance and intolerance before passing to the thought of the sixteenth century. The author's approach to the more complex thought and historical developments of the seventeenth century rests upon his earlier analysis, though, it should be confessed, reflection has modified many of his views. In particular, he has come to appreciate the vast contribution and noble temper of the moderates and to regard more critically the thought of the zealous.

Considerations of space make it seem inadvisable to include the bibliography with this volume. An effort has been made, however, to give a clear and reasonably full citation for every work mentioned. It is hoped that a complete bibliography for the whole study can be published concurrently with the appearance of the third and concluding volume.

The author is under a great obligation to his colleagues, Professor C. H. McIlwain and Professor E. A. Whitney, who have been kind enough to read and criticize the manuscript. The wise counsel of Professor W. S. Ferguson has been invaluable in effecting the arrangements for publication. The Harvard University Committee on Research in the Social Sciences has been both generous and patient in awarding grants which have made it possible to carry on in England and America the research upon which this volume rests.

W. K. J.

KIRKLAND HOUSE
HARVARD UNIVERSITY

March, 1936

CONTENTS

CHAPTER	PAGES
I. THE DOMINANT GROUPS, 1603-1625. DEVELOPMENT OF GOVERNMENTAL AND ANGLICAN THOUGHT WITH RESPECT TO RELIGIOUS DISSENT	17-114
A. General Religious Policy and the Problem of Protestant Dissent, 1603-1625	17-54
1. The Attack on Puritanism	17-29
(a) The Hampton Court Conference and the Anglican Attitude, 1603-1604, 17-22; (b) In Parliament and Convocation, 1603-1604, 22-27; (c) Difficult Position of the Government, 27-29	
2. James's Definition of the Role of the Magistrate in the Church; His Thought in Relation to the Problems of Persecution, Heresy, and Liberty of Conscience	29-34
3. The Anglican Position with Respect to the Problem of Dissent, 1603-1625	34-43
(a) Orthodox Anglican Theory (John Turner, George Abbot, William Barlow, Henry Leslie, Patrick Scot, Richard Bernard, and Minor Theorists), 34-38; (b) John Donne, and Moderate Anglican Theory, 39-43	
4. The Legate and Wightman Cases (1612), and the Reaction against the Punishment of Heresy by Death	43-52
5. Puritanism Becomes the Symbol of Protestantism in England	52-54
B. Policy towards Roman Catholic Nonconformity, 1603-1625	54-114
1. The Government Embraces a Policy of Toleration towards the "Spiritual Group", 1603-1605	54-66
(a) The Weight of Public Opinion Hostile to a Moderate Roman Catholic Policy, 61-66	

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

CHAPTER

PAGES

2.	The Re-definition of Governmental Policy: Moderation towards the "Spiritual Group"; Extirpation of Missionary Activity and Disloyalty, 1605-1609	66-83
	(a) Cecil's Masterly Analysis of the Problem, 66-69; (b) Hostility of English Opinion, 69-72; (c) James's Policy Weakened by the Hysteria following the Gunpowder Plot, 72-74; (d) The Oath of Allegiance (1606) and its Enforcement, 74-83	
	(1) The Controversy over the Oath of Allegiance; the King's Literary Defence of the Government's Catholic Policy, 76-83	
3.	Mild Repression of the Roman Catholics, 1609-1611	83-86
	(a) The Attitude of Parliament, 1609, 84-86	
4.	The Government Maintains a Moderate Policy towards the Catholics despite the Opposition of Public Opinion, 1611-1625	87-114
	(a) James's Statement of his Policy in Parliament, 1614, 89-90; (b) The Spanish Marriage Treaty Negotiations; Influence on Catholic Policy; Fatal to James's Tolerant Inclinations, 90-110	
	(1) Outspoken Opposition in Parliament and the Country, 1621-1622, 92-98; (2) Relaxation of the Penal Laws (Toleration in Fact) and the Reaction of Public Opinion, 1623, 99-102; (3) The Spanish Marriage Treaty and Further Steps towards the Toleration of the Roman Catholics; State of Public Opinion, 1623-1624, 103-108; (4) Collapse of James's Policy, 1624; Parliamentary Criticism, 1624, 108-110	
	(c) The French Marriage Treaty, 1624-1625, 111-114	
II.	THE DOMINANT GROUPS, 1625-1640. DEVELOPMENT OF GOVERNMENTAL AND ANGLICAN THOUGHT WITH RESPECT TO RELIGIOUS DISSENT	115-198
A.	General Religious Policy and the Problem of Protestant Dissent, 1625-1640	115-169

CONTENTS

CHAPTER

PAGES

1. The Beginnings of Anglo-Catholicism (Arminianism), 1625-1629	115-129
(a) Definition, 115-117; (b) The Attack of Parliament on Anglo-Catholicism; Hostility of English Opinion, 1625-1626, 117-121; (c) Anglo-Catholicism Excites General Hostility; Development of Erastianism in Parliament; Growth of Puritan Intolerance, 1628-1629, 121-129	115-129
2. Anglo-Catholic (Arminian) Thought	129-137
3. Anglo-Catholicism in Power; Heightening of Extremism and Intolerance, 1629-1634	137-142
4. The Thought of the Moderate (Traditional) Churchmen (Ussher, Robert Abbot, Hall, Fuller, Andrewes, Randall, Griffith Williams, Downame, Jackson, Hammond, and Minor Theorists)	143-157
5. The Fruit of Religious Extremism, 1634-1640	157-169
(a) Laud's Programme for Exterminating Dissent, 157-165; (b) The Short Parliament (1640), and the Attack on the Anglo-Catholic Conception of the Church, 165-169	157-169
 B. Policy towards Roman Catholic Nonconformity, 1625-1640	 169-198
1. Attack on the Guarantees of the French Marriage Treaty, 1625-1627	169-179
2. Parliamentary Criticism, 1628-1629	179-182
3. The Period of Personal Rule, 1629-1640	182-197
(a) Public Outbursts Provoked by Roman Catholic Excesses, 182-184; (b) Marked Amelioration of the Condition of the Roman Catholics, 184-186; (c) Continuation of the Feud between the Political and Spiritual Groups; Mission of Dom Leander, 186-188; (d) The Panzani Mission, 188-196; (e) Correr's Analysis of the Catholic Situation, 196-197	182-197
4. Collapse of the Government's Catholic Policy, 1638-1640	197-198
 III. THE MINORITY GROUPS, 1603-1640	 199-314
A. Puritan Thought and its Relation to the Development of Religious Toleration	199-215

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

CHAPTER

PAGES

1. The Nature of Calvinistic (Puritan) Thought	199-206
2. The Puritan Position on the Question of Toleration	206-214
(a) The Place of the Magistrate in the Church (Bradshaw, Downing, Stoughton, Calderwood, and Pym), 206-208; (b) The Problem of Heresy (<i>Certaine Advertisements</i> , Stoughton, Ames, and Prynne), 208-211; (c) The Inviolability of Conscience (Ames, Weemse, <i>A True, Modest, and Just Defence</i> , and Bradshaw), 211-212; (d) Pleas for Liberty of Conscience (Bradshaw and Calderwood), 212-214	
3. Summary	214-215
B. Separatist Thought and its Relation to the Development of Religious Toleration 216-314	
1. General Characteristics of Separatist Thought in its Relation to Religious Toleration	216-219
2. Congregational Thought, 1603-1640, and its Relation to the Development of Religious Toleration	219-258
(a) The General Nature of Congregational Thought, 219-223; (b) Congregationalism in Holland and England, 1603-1640, 223-231; (c) Henry Jacob (1563-1624), 231-242; (d) John Robinson (1576?-1625), 242-247; (e) Minor Congregational Theorists (<i>Apologie or Defence, Collection of Sundry Matters</i> , John Canne, Burton, <i>A Light for the Ignorant</i> , Samuel How, and <i>An Information concerning the Meanes of Peace Ecclesiastical</i> , 248-258	
3. Baptist Thought and its Relation to the Development of Religious Toleration, 1603-1640	258-314
(a) The General Nature of Baptist Thought, 258-262; (b) The Baptists in Holland and England, 1603-1640, 262-268; (c) John Smyth (1563?-1612?), 268-274; (d) Thomas Helwys (1550?-1616?), 274-284; (e) Leonard Busher, 284-298; (f) John Murton (1583-1630?), 298-314	
IV. THE LAYMEN AND THE MODERATES 315-491	
A. General Character of Lay Thought, 1603-1640	315-319

CONTENTS

CHAPTER	PAGES
B. The Arminian Revolt and the Decay of Doctrinal Orthodoxy; Effect of the Disintegration of Calvinism upon the Development of Religious Toleration	319-349
1. Early Opposition to Calvinistic Orthodoxy, 1571-1590	320-321
2. Jacobus Arminius, 1590-1609	321-327
3. The Political Implications of the Arminian Revolt; Development of Erastianism; The Council, Althusius, Arguments of Uyttenbogaert, 1600-1609	327-332
4. The Failure of the Erastian Policy of the Government; The Vorstian Controversy, 1609-1612	332-338
5. The Development of the Arminian Position, 1612-1634	338-349
(a) Episcopius, 338-344; (b) Grotius, 344-349	
C. The Latitudinarians and the Moderates	349-421
1. General Character of Moderate Thought	349-351
2. The Early Moderates (Palmer, Vaughan, Quarles, <i>Differences in Matters of Religion</i> , Sibbes, Thomas Scott, Sir Henry Wotton, and Dury)	351-370
3. Lucius Cary, Second Viscount Falkland (1610?-1643)	371-377
4. William Chillingworth (1602-1644)	377-400
5. John Hales (1584-1656)	400-412
6. George Wither (1588-1667)	412-421
D. The Rationalists and the Sceptics, 1603-1640	421-453
1. General Nature of Rationalistic Thought	421-424
2. Sir John Davies (1569-1626)	425-428
3. Early Minor Rationalists (Sir John Harrington and Sir Thomas Overbury)	428-432
4. Robert Herrick (1591-1674)	432-435
5. Lord Herbert of Cherbury (1583-1648)	435-444

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND	
CHAPTER	PAGES
6. Robert Greville, Baron Brooke (1608-1643)	444-446
7. Sir Thomas Browne (1605-1682)	446-453
E. The Erastians, 1603-1640	453-491
1. General Character of Erastian Thought, 1603-1640	453-457
2. Sir Francis Bacon (1561-1626)	457-472
3. Minor Erastians (Atkinson and Hayward)	472-475
4. Sir Robert Bruce Cotton (1571-1631)	475-479
5. John Selden (1584-1654)	479-488
6. Nathaniel Fiennes (1608?-1669)	488-491
V. ROMAN CATHOLIC THOUGHT AND ITS RELATION TO THE DEVELOPMENT OF RELIGIOUS TOLERATION, 1603-1640	
	492-521
A. General Characteristics of Roman Catholic Thought	492-494
B. The Political [Missionary] Group (Kellison, Fitzherbert, Parsons, Walsingham, and Minor Thinkers)	494-505
C. The Spiritual (Lay) Group	505-521
INDEX	523-542

THE DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

I

THE DOMINANT GROUPS, 1603-1625. DEVELOPMENT OF GOVERNMENTAL AND ANGLICAN THOUGHT WITH RESPECT TO RELIGIOUS DISSENT

A. GENERAL RELIGIOUS POLICY AND THE PROBLEM OF PROTESTANT DISSENT, 1603-1625

I. THE ATTACK ON PURITANISM

a. *The Hampton Court Conference and the Anglican Attitude*

James I succeeded a sovereign whose rare ability and patience had founded an ecclesiastical structure of comprehensive limits, and whose popularity and political skill had been able to postpone the settlement of many vital questions relating to the nature and meaning of the Establishment. None the less, there had developed during the latter part of Elizabeth's reign a powerful body of Protestant thought which was demanding a definition of its rights within the Church and State; the Roman Catholics had been led in the closing months of the reign to hope that some distinction would be drawn between those Catholics whose primary interest lay in the spiritual exercise of their faith and those whose faith was not unmixed with disloyalty to the State; and new and strange religious groups were springing up in the ferment of the English religious scene.

England knew little about its new ruler, and the garrulous and indecisive nature of the Stuart king had led every dissenting group in England to expect too much of royal favour. The Puritans recalled his Presbyterian training and expected an immediate reformation of the ritual and discipline of the Church of England; the Catholics had read too much into certain vague and Delphic commitments which James had

made while yet in Scotland and hoped for a considerable enlargement of their liberties; the moderates had mistaken the known scholarly interests of the monarch for liberality of mind and objectivity in point of view. England had misjudged James; and James was never fully to understand the English temperament or the English character. The elements of misunderstanding were present and serious friction began to develop almost immediately.

The strength of Puritan sentiment within the Church had been demonstrated by the Millenary Petition requesting certain reasonable and minor changes in the ritual and discipline of the Church of England. The petition had been presented to James while he was travelling down from Scotland to the capital, and James, keenly interested in theological controversy and ready to settle all disputes by the power of his own reason, summoned a conference of Puritan leaders to meet with representatives of the Church at Hampton Court on January 14, 1604. It need not be said that the decision was impolitic and dangerous. To permit the focusing of public attention on the profound differences in point of view which were rending the Church of England; to humiliate and offend influential leaders of a powerful body of English opinion in a public gathering; to give final decision against moderate Puritanism before estimating its strength and aims, and before exhausting the possibilities of compromise, laid bare James's fatal weaknesses as a man and as a sovereign.¹

The Church was represented at the conference by an archbishop, eight bishops, five deans, and two other clergymen; the Puritans by Reynolds, Dean of Lincoln, Sparke, Chaderton, and Knewstubs. The Puritans demanded certain changes in ceremony and government, and minor alterations in the Articles. In addition, they asked that Whitgift's rigidly Calvinistic Lambeth Articles be given official sanction as part of the doctrinal structure of the Church. Reynolds objected to ecclesiastical censures by lay chancellors, holding that the Henrician statute which authorized this jurisdiction had been repealed during Mary's reign and had not been revived by Elizabeth.

¹ *Vide* Trevelyan, G. M., *England under the Stuarts* (6th ed.), 77-78, for his view.

James replied that he had consulted the bishops in advance on this point and that "such order should be taken therein, as was convenient." The Puritan spokesman thereupon asked for the restoration of modified prophesying as a means of raising the competency of the clergy and of mutual edification.¹ This institution had become intimately associated with Puritanism in the preceding reign, and James was deeply moved. Barlow reports that James charged "that they aymed at a Scottish Presbytery, which saith hee, as well agreeth with a monarchy, as God, and the divell. Then Iack and Tom, and Will, and Dick, shall meete, and at their pleasures censure me, and my Councell, and all our proceedings: then Will shall stand up, and say, it must bee thus; then Dick shall reply, and say, nay, . . . but wee will have it thus. And therefore, here I must once reiterate my former speech, *Le Roy s'avisera*: Stay, I pray you, for one seaven yeaeres, before you demaunde that of mee: and if then, you finde mee purseye and fat, and my winde pipes stuffed, I will perhaps hearken to you: for let that government bee once up, I am sure, I shall bee kept in breath; then shall wee all of us, have worke enough, both our hands full. But Doctor Reyn. til you finde that I grow lazy, let that alone."²

The King acknowledged Reynolds's earlier plea of loyalty to the Crown and devotion to the royal supremacy. But he pointed out that Knox had spoken in the same terms to the Scottish queen, "telling her that she was supreme head of the church, and charged her, as shee would aunswere it before Gods Tribunall, to take care of Christ his Evangil, and of suppressing the popish prelates. . . ."³ He reminded his auditors, however, that when the Presbyterian party was strong enough it quite forgot the royal supremacy and took religious affairs into its own hands. He recalled with bitter words the humiliating treatment which he and his mother had suffered at the hands of the Scottish Presbyterians, whom he definitely identified with the English Puritans. Then, addressing the bishops, James said, "If once you were out, and they in place,

¹ Barlow, William, *The summe and substance of the conference* (L., 1604), 77-79.

² *Ibid.*, 79-80.

³ *Ibid.*, 81.

I knowe what would become of my Supremacie. No Bishop, no King. . . ." Some of their party, he continued, are content to pray for the king as king, but "as for supreme governour in all causes, and over all persons (as well ecclesiasticall as civil) they passe that over with silence; . . . If this be all, . . . that they have to say, I shall make the conforme themselves, or I will harrie them out of the land, or else do worse."¹

The Hampton Court Conference was ended upon this note. The Puritan leaders departed without any gains for a substantial and increasing section of English life, and with a keen sense of humiliation and chagrin. Their arguments had not been answered; James had attempted by insults and browbeating to overcome convictions which represented the sternest Protestantism in the Church of which he was earthly head. The Puritan group was still moderate; it was still devoted to the communion of the Church of England; and the accession of James found it in a temper which might have been utilized by an abler ruler in order to effect a lasting compromise. There was at least the possibility that a considerable section of Puritan opinion could have been placated by judicious concessions which would have in no sense altered either the structure or the character of the Church. But James chose immediately to drive Puritanism into a state of dull resentment which was to grow into flaming opposition before his life was out.

The orthodox party was not slow in following the royal lead. *The Answvere of the Vicechancelour, the Doctors, both the Proctors, and other the Heads of Houses in the Vniversitie of Oxford: (. . . confirmed by the expresse consent of the Vniversitie of Cambridge)* is typical of the abuse which greeted the Millenary Petition. The Puritans are compared with the Catholics in the danger which they represent to both Church and State. They both regard themselves as afflicted and call themselves loyal subjects. "They both complaine, of being overwhelmed with enduring persecution through losse of living and liberty. They both condemne the obedience of protestants to the lawes established, to be, not for conscience and zeale: but for morall honestie, and feare of temporall punishment, saith the papist; for their owne quiet, credit, and

¹ Barlow, *Summe and substance*, 83.

profit in the world, saith the puritane. They both renounce a publike alteration, and dissolution of the state ecclesiastical: but the one pleades for a private toleration, the other . . . for a godly reformation."¹

The Anglican supporters vigorously denounced the stubborn character of the Puritans and defended the power of the King to put them down as a menace to the peace of Church and State. It was charged that "a puritane is such a one as loves God with all his soule, but hates his neighbour with all his heart."² Wilkes, writing in 1605, held that the universal testimony of the Church and reason attested the power of the prince to order and command the practice of religion in his realm.³ Religion is "the type of all publike good" and hence the care of religion is the ruler's highest purpose.⁴ Accordingly he urged James "to reforme . . . the troublesome spirit of some persons whose onely contentment resteth, in the prosecution of their owne fantasies. . . ."⁵

The Government rapidly gathered momentum in its determination to force the Puritans to conformity and there were few voices to warn James of the dangers which his policy involved. The aged and experienced Hutton (York) wrote to Cranborne in December 1604, acknowledging the receipt of instructions to proceed against the Puritans who would not conform. He recommended caution and a moderate policy to the Government. He expressed dislike for the fanatical zeal of the Puritans but pointed out that they agreed with the Church in the substance of religion.⁶ He feared that a policy of repression would weaken the defences of Protestantism and that the Papists would be the gainers. If the Government desired to employ sharp measures, he urged that they be exercised against the Catholics, who, partly because of the recent severity against the Puritans and "partly by reason of some extraordinary favour, have grown mightily in number, courage, and influence."⁷ The Papists have been encouraged

¹ *The Answer* (Oxford, 1604), B 3.

² Manningham, John, *Diary* (Camden Society, L., 1868), 156.

³ Wilkes, William, *Obedience or Ecclesiastical Union* (L., 1605), 5.

⁴ *Ibid.*, 6, 9.

⁵ *Ibid.*, 7.

⁶ *Stowe MSS.* (B.M.), 156, 50.

⁷ *S.P. Dom.*, *James I*, xii, 87 (February 18, 1605).

by the prospects of toleration while the Church will be seriously weakened by the projected campaign against Puritanism.

And there was much substance in Hutton's position. The King had instructed the bishops to maintain the laws regarding religion, save that no blood should be shed for diversity of belief.¹ They were counselled to regard Puritanism as no less dangerous than recusancy and were to take equal care in securing its suppression.

b. In Parliament and Convocation, 1603-1604

With this disturbing temper in the air Parliament had been convened on March 19, 1604. In the speech from the throne James gave full consideration to the problem of religious dissent and the attitude which the Government proposed to take towards it. The King declared that he could not tolerate the Puritans because of "their confused form of policy, and parity; being ever discontented with the present government, and impatient to suffer any superiority; which maketh their sects insufferable in any well-governed commonwealth."² But he had no desire to persecute men and he promised to deal moderately in matters of religion.

After speaking briefly of the Puritans, who constituted a considerable portion of the members of the Parliament, he turned to the even more vexatious problem of the Roman Catholics. He acknowledged the Church of Rome to be a true Church though filled with corruptions and infirmities. He had no desire to see the Church overthrown but he wished that it might be cleansed. He renounced any desire to persecute the Catholics, especially the loyal laity, if they would only preserve civil quiet. In fact, he expressed himself as anxious to lighten

¹ *S.P. Dom., James I*, xii, 87 (February 18, 1605).

² *Parliamentary History*, I, 982. The King's position should be compared with that stated two months earlier at Hampton Court (*vide ante*, 17-20). He took the correct position that the Puritans were demanding that their views should prevail, rather than seeking a toleration of their point of view. When their demands are rejected, they plead a weak conscience. He demanded, "How long they would be weak? Whether forty-five years were not sufficient for them to grow strong? Who they were that pretended this weakness, for we require not now subscription from laics and idiots, but preachers and ministers, who are not now I trow to be fed with milk, but are enabled to feed others."

the burden of those who would conduct themselves peaceably, and he was examining the laws in the hope that some proposal might be made in the present Parliament for clearing the laws by reason.¹ Following Elizabethan precedents, he announced that the Government would carefully distinguish between the loyal laity and priests and the political group. He was loath to see the loyal Catholics punished in body for an error of the mind, "the reformation whereof must onely come of God and the truw spirit."² As for the clergy, so long as they teach that the Pope wields the power to dethrone kings and to absolve subjects from their obedience, they cannot be permitted in the land. He avowed his readiness to meet the Catholics "in the mid-way" and to strive with them for perfection and truth.³ But his gentleness and tolerance must not be abused, and he could not permit the Catholics to seek to increase their numbers and powers with a view of eventually restoring their religion to primacy in England.⁴

The King's speech, while devoid neither of literary merit nor of reason, must have been profoundly disturbing to the majority of the members. The problem of the accommodation of Puritanism in the Church was beyond doubt the most important issue of the day, and the Puritan members had not yet lost hope that some solution might be attained. But James had spoken briefly and dogmatically on this question. He proposed to bar even a consideration of the problem, on the as yet undebated grounds of its danger to the State. On the other hand, he had spoken at length and most tolerantly of his Catholic subjects, and against them English opinion was intolerantly united. It would seem that he was determined to

¹ "As I would be loather to dispense in the least point of mine owne conscience for any worldly respect, . . . so would I bee as sory to straight the politique governement of the bodies and mindes of all my subiectes to my private opinions. Nay, my minde was ever so free from persecution, or thralling of my subiects in matters of conscience, . . . that I was so farre from encreasing their burdens with Rehoboam, as I have so much as either time, occasion, or law could permit, lightened them. And even now at this time have I bene carefull to . . . consider deeply upon the lawes made against them, that some overtury may be proponed to the present Parliament for clearing these lawes by reason. . . ." (*The Political Works of James I* (C. H. McIlwain, ed.), 274-275.)

² *Ibid.*, 275.

³ *Ibid.*, 275-276.

⁴ *Ibid.*, 276.

placate Catholic opinion at home and abroad even at the cost of alienating support which he and his house needed badly.

The Commons very soon made it clear that they were by no means satisfied with the King's analysis of the religious problem. Sir Francis Hastings moved the creation of a Committee to consider the confirmation and re-establishing of religion; the maintenance of a learned ministry; and "of what soever else may incidentally bring furtherance thereto." We are not concerned with the recommendations of a Puritan nature which were brought forward in the Commons, or with the subsequent clashes between the House and the King over religious and other issues.¹ But as a consequence of these disputes the Commons on June 20th presented to the King *The Form of Apology and Satisfaction to be presented to his Majesty*, in which they endeavoured to justify their conduct. So far as it concerned religion, the document displayed a startling abandonment of the Tudor principle of royal supremacy. "For matter of religion, it will appear by examination of truth and right that your majesty should be misinformed if any man should deliver that the kings of England have any absolute power in themselves either to alter religion . . . or to make any laws concerning the same, otherwise than as in temporal causes, by consent of Parliament."² The House hastened to make it clear, however, that they had no thought of religious freedom in mind. They reminded James of their orthodox devotion: "We disputed not of matters of faith and doctrine; our desire was peace only and our device of unity, how this lamentable and long-lasting dissension amongst the ministers, from which both atheism, sects, and all ill life have received such encouragement and so dangerous increase, might . . . be extinguished."³ The members declared themselves opposed to the principle of toleration, for they did not desire "that any man in regard of weakness of conscience may be exempted after Parliament from obedience unto laws established," but rather "that in this Parliament such laws may be enacted as by the relinquishment of some few ceremonies of small im-

¹ *Vide* Gardiner, S. R., *History of England, 1603-1642*, I, 179-180.

² Tanner, J. R., *Constitutional Documents of the Reign of James I*, 226.

³ *Ibid.*, 226.

portance, or by any way better, a perpetual uniformity may be enjoined and observed."¹ As Tanner has well said, the Commons proposed to make the necessary concessions to the Puritans by statute and then to compel England to uniformity to the Church as thus reformed.²

While this clash of views was occurring in the Parliament, Convocation was busily engaged with the task of codifying the canons of the Church. The Canons of 1604, as they became known, sought to bind the Church, clergy and laity alike, to conformity to the Book of Common Prayer, which was declared to be in complete accord with the Word of God.³ Denial of this assumption was to be visited with the extreme spiritual penalty of excommunication, and on July 16, 1604, it was announced by proclamation that the Puritan clergy must conform by November 30th or be expelled from their livings. There appears to have been little opposition voiced in Convocation to these dangerous measures. A notable exception, however, was Rudd, Bishop of St. David's, who pleaded for greater tolerance and warned the Church against undertaking a policy of repression.⁴ In speaking of the canonical requirement which enjoined the sign of the cross in baptism, he said that though he was satisfied that the usage of the Church of England was based upon sufficient grounds, he feared "that very many learned preachers, whose consciences are not in our custody, nor to be disposed of at our devotion, will not easily be drawn thereunto."⁵ He urged that reasonable answers and not force must be employed against those who dissent in conscience. There are those who may be driven from the ministry by such hard usage, and the Church can ill spare them from its services, nor can it afford to be divided in the

¹ Tanner, *Constitutional Documents*, 227.

² Tanner, *English Constitutional Conflicts of the Seventeenth Century, 1603-1689*, 31.

³ Gardiner, *History of England*, I, 195.

⁴ Anthony Rudd (1549?-1615) was educated at Cambridge. He was made Dean of Gloucester in 1584, and a decade later was consecrated Bishop of St. David's. He lost opportunity for preferment by his outspoken nature, and continued in the pleasant and somewhat secluded administration of his diocese until his death. He was well regarded as a preacher. (D.N.B.; Fuller, *Church History*.)

⁵ Quoted by Neal, Daniel, *History of the Puritans* (1837), I, 409.

face of the common enemy. He therefore proposed that "if by petition to the king's majesty there cannot be obtained a quite remove of the premises, nor yet a toleration for them that are of more staid and temperate carriage, yet at least there might be procured a mitigation of the penalty."¹

The hopes of the Puritans, which had run high at the beginning of the reign, had by this time been rudely dispelled. When the Government undertook, in late 1604, to carry into execution its programme of enforcing conformity, the Puritans protested in a number of outspoken petitions.² On February 9, 1605, three or four knights from Northamptonshire presented a petition signed by forty-four gentlemen of that county, demanding rather than asking consideration for the ejected Puritans. James was greatly exercised by the tone of the petition and by the furore which his policy had created. On the following day he discussed the matter with his Council throughout a long session. A letter from an unknown auditor to John Jegon, Bishop of Norwich, described the scene. James raged bitterly against the Puritans, declaring that "the revolt in the Low Countries, which hath lasted ever since he was borne, and whereof he never expected to see an ende, began first by a petition for matters of religion: and so did all the troubles in Scotland. That his mother and he, from their cradles, had bene haunted with a puritan divell, which he feared would not leave him to his grave. And that he would hazard his crowne, but he would suppresse those malicious spirits."³ At the same time, he declared his detestation of the Romanists, asserting that if he knew his son would give toleration to them in his time he would prefer to see him dead.⁴

Molin, the representative of the Venetian Republic, writing in March 1605, feared that a crisis was developing in England. The Puritan clergy in London had refused to subscribe or to recognize the bishops. Their leaders had been deprived and ordered to leave the kingdom within a month, and many of

¹ Neal, *History of the Puritans*, I, 411.

² Gardiner (I, 197-198) estimates that about three hundred of the clergy refused to conform and were ejected.

³ Peck, F., *Desiderata Curiosa* (1779), I, 198; Waddington, J., *Congregational History, 1567-1700*, II, 144-145.

⁴ Peck, *Desiderata Curiosa*, I, 198.

them had been suspended. Molin believed that the Puritan opposition was closely knit and that it could not be coerced. The King had resolved to humble nonconformity but there was a considerable group in the Council who looked with disfavour on so much hubbub over a few ceremonies.¹ This group recommended that the Government should favour the Puritans, who are the most loyal party in England, and that the King should take a determined anti-Catholic stand. Molin understood that the King had expressed annoyance with those suggestions of policy and had "declared that he was resolved to proceed against the Puritans and their ministers, who refused to conform and swear obedience to the canons," and to drive them from the kingdom. At the same time he had resolved to enforce the laws against the Catholics.²

c. Difficult Position of the Government

On this point, at least, the royal policy in relation to the Puritans had not departed substantially from the principles of Elizabeth. In the England of 1605, there were few men indeed who questioned the positive right and duty of the prince to order and maintain the Church. But this theory was rooted in the assumption of a catholic communion coterminous with the geographical limits of the State. Diversity of religious opinion was acting as a solvent to this theory, for the discussion must now be resolved around the question, *which church*. Men were still paying lip-service to the principle of uniformity while diversity of opinion had become a hard kernel of indigestible fact in the body of political thinking. The Puritans were too conservative in thought and too zealous in faith to make any more helpful suggestion towards the solution of the seventeenth-century dilemma than to propose that their polity

¹ *Molin to Doge and Senate, London, March 2, 1605, Venetian Papers, x, 223-224.*

² Molin reported that the King "is resolved to enforce against the Catholics the laws which are of great severity and bitterness, affecting property and life; and so the unhappy Catholics are preparing themselves for persecution; although some say that these threats will not be carried out, but that his majesty employs such language partly in anger at what has occurred, partly because he heard that in Rome the pope has named a committee of cardinals to discuss the affairs of England." (*Ibid.*, x, 224.)

replace the existing one with the theory of uniformity included. They embraced without reservation the doctrine of uniformity, and it was clear to James and his advisers that this could only mean an attempt to enforce upon England the tenets of their particular party when their season of strength should come. Time after time James pointed this out in blunt and decisive terms, and his diagnosis was accurate. He realized that his position was delicate; to tolerate Puritanism would lead shortly to a sharp struggle for mastery; to persecute it was likely to inculcate the doctrine that the King was a tyrant with all the inimical political deductions which the logic of Calvinism could derive from that position.¹

The Erastian Cecil's statement of the governmental position in cool political terms is perhaps a clearer analysis than is that of his sovereign's worried reflections. Cecil had been trained in the hard school of Elizabeth, and his view was eminently pragmatic. The rites and discipline of the Church are by law established and the Puritans are overtly breakers of the law.² The Government is prepared to bear with moderate men who dissent from the Church, but the Puritans are men of turbulent humour who "dream of nothing but a new hierarchy, directly opposite to the state of a monarchy, as the dispensation with such men were the highway to break all the bonds of unity to nourish schism in the Church and Commonwealth. It is well said of a learned man that there are schisms in habit as well as in opinion," and that unity in belief cannot be preserved unless it is to be found in worship.³

There is food for reflection in Cecil's analysis. So long as Puritanism was believed by the Government to strive for "a new hierarchy, directly opposite to the state of a monarchy", only two choices lay open to James. He could attempt the drastic scourge of persecution, but James was too merciful a man really to embrace this policy, and he must have realized, after observing the complexion and temper of his first Parliament, that Puritanism was too strong to risk this heroic remedy. A far better possibility, it would seem, was to make

¹ McIlwain, *Political Works of James I*, Int., xviii.

² Cranborne to Hutton, February 1605, Lodge, Edmund, *Illustrations of British History* (L., 1838), III, 125-130.

³ *Ibid.*, III, 127.

every possible compromise with the Puritan opposition, even if the external fabric of the Church should be radically changed by these concessions. For, it must be borne in mind, the Puritans were indistinguishable in doctrine from the Anglicans of 1605. The eyes of James and Cecil were focused too closely on the external differences which were rending the Church of England, and ignored the internal unity of belief which an able statesman might still have exploited in order to found an English Protestant catholicity. In any case, a policy of toleration was out of the question so far as the Puritans were concerned, so long as their pretensions remained what they were.

James had, then, by 1605, made his position with respect to militant dissent from the Church of England tolerably clear. By this time, too, the Puritan leaders had at their disposal a considerable royal contribution to the realm of theory. Most of James's writings were provoked by the controversy over the Oath of Allegiance and are therefore to be considered in reference to the Catholic policy of the Government,¹ but we shall endeavour to examine that portion of James's thought which the Puritans found particularly applicable to their case.

2. JAMES'S DEFINITION OF THE ROLE OF THE MAGISTRATE IN THE CHURCH; HIS THOUGHT IN RELATION TO THE PROBLEMS OF PERSECUTION, HERESY, AND LIBERTY OF CONSCIENCE

Despite occasional denials James exercised very real powers in the shaping of the policy, the ritual, and the discipline of the Church. Henry VIII had admitted and used this power without bothering to clothe it in theoretical garb, and his Tudor successors had been anxious to retain a predominant position in the shaping of ecclesiastical policy without defining too closely their theoretical position in the Church. But all of the Stuarts were fanatically determined to secure a precise definition of the limits of their power. James held that it was the duty of the King to maintain the religion professed in his country according to the laws whereby it was established. This duty obliged him "to punish all those that should presse

¹ *Vide post*, 54-114.

to alter, or disturb the profession thereof."¹ The King found in the Bible ample evidence for claiming this role of defender of the established faith. He cited twenty-three Biblical references, of which twenty-one were from the Old Testament, to buttress his position. The ruler has no power to formulate new articles of faith, but he must command that obedience "be given to the Word of God, by reforming the religion according to his prescribed will, by assisting the spirituall power with the temporall sword, by reforming of corruptions, by procuring due obedience to the Church, by iudging, and cutting off all frivilous questions and schismes . . . ; and finally, by making decorum to be observed in every thing, and establishing orders to bee observed in all indifferent things for that purpose, which is the onely intent of our Oath of Supremacie. . . ."²

At the same time, the rights of conscience should not be violated. The Christian's first duty is to his God. If the king should command any action which is directly contrary to the Word, and which tends to the ruin of the Church, the clergy ought "not only to dispense with subiects for their obedience, but also expressly to forbid their obedience."³

In this very area of uncertain definition the religious battle of the century was to rage. For it was difficult for the Government and the dominant groups to claim a monopoly of God's truth. The nonconformist groups rested their opposition to the established order and based their claim to toleration on the contention that they were quite as competent to discover the will of God as the Convocation and its royal master, and, indeed, represented that they were prepared to fortify their claims from the evident Word of God. They therefore branded any attempt to compel them to conformity as an infamous persecution of the Saints.

James admitted the hopelessness of persecution, but had not abandoned hope in the tonic effects of judicious compulsion. In addressing the House of Commons in 1620, he argued that the Church must first endeavour to persuade recalcitrants

¹ *Political Works of James I (The Trew Law of Free Monarchies 1603)*, 55.

² *Political Works of James I (Apologie for the Oath of Allegiance, 1607)*, 108.

³ *Political Works of James I (Defence of Right of Kings, 1615)*.

to conform to the established Church. Persuasion and reason can alone make a man a good Christian. But if spiritual agencies fail the ruler must compel the stubborn.¹ James disavowed any desire to coerce men's consciences, and proposed merely to impose that body of laws governing the Church which he found in force at his accession.

Nor had the King any desire to force a conformity of opinion. He declared in the introduction to the *Basilikon Doron* (1599) that he had no quarrel with earnest men who disagreed with the Church in matters of form and ceremony.² "It can no wayes become me to pronounce so lightly a sentence, in so old a controversie." But he did insist that those who held opinions contrary to the law should "content themselves soberly and quietly with their owne opinions, not resisting to the authoritie, nor breaking the law of the countrey; neither above all, slurring any rebellion or schisme: but possessing their soules in peace, let them preasse by patience, and well grounded reasons, either to perswade all the rest to like of their iudgements; . . ." or, upon demonstration of the validity of the law, to accept it.³

James was here thinking of the opposition of the Puritans to certain abuses which they charged yet remained in the Church. On the more serious question of heresy, the King had strong opinions. During the Arminian controversy he spoke decisively on the question, though it should be said that the dispute lashed him to a fever heat of orthodox indignation which is hardly typical of his thought.⁴ He assailed the Dutch Arminians as "pestilent heretiques . . . who dare take upon them that licentious libertie, to fetch againe from hell the ancient heresies long since condemned, or else to invent new of their owne braine, contrary to the belief of the trew

¹ ". . . as the world cannot create a new creature, be it never so little, so no law of man can make a good Christian in heart, without inward grace. The minister by his doctrine and good example of life must persuade: if this prevail not, the magistrate must compel; and both leave the success to God, for it is not good to trust to a good cause, and let it go alone." (*Proceedings and Debates of the House of Commons in 1620 and 1621* (Oxford, 1766), I, 6.)

² *Political Works of James I (Basilikon Doron)*, 7-8.

³ *Ibid.*, 8.

⁴ *Vide post*, 332 ff.

Catholike church.”¹ He declared that Vorstius was “worthy of the faggot” and “that the spirituall infection of heresie, is so much more dangerous, then the bodily infection of the plague, by how much the soule is more noble then the body.”² The Christian ruler cannot ignore such contaminations: “that it is one of the principall parts of that duetie which appertaines unto a Christian King, to protect the trew church within his owne dominions, and to extirpate heresies, is a maxime without all controversie.”³ We shall see that James did not hesitate, under extreme provocation, to put into practice his theories concerning heresy.⁴

But the King’s sentiments concerning heresy, as provoked by the Arminian controversy, were far harsher than his more reasoned views. He had very early declared that persecution was the mark of the false church.⁵ In the closing years of Elizabeth’s reign he had professed to be a friend of religious liberty and had addressed several petitions to her urging greater moderation and requesting the release of certain ministers who were being held in prison because of conscientious scruples.⁶ He had protested against the imprisonment of Cartwright, Udall, and other dissenting ministers, of whom he had received good reports, “howsoever that their diversity from the bishops and others of your clergy, in matters touching them in conscience, hath been a mean by their dilation to work them your misliking; at this present we cannot (weighing the duty which we owe to such as are afflicted for their conscience in that profession) but by our most effectuous and earnest letter” urge that they may be released and “the great slander” of forcing them to suffer for their conscience may thus be avoided.⁷

The Puritans had received great encouragement from sentiments such as these. James always expressed himself freely and enthusiastically in his written works and was invariably indignant when glaring discrepancies were pointed out between

¹ *The vvorke of the most high and mightie Prince, Iames, etc.* (James Montagu, ed., L., 1616), 356.

² *Ibid.*, 366.

³ *Ibid.*, 349.

⁴ *Vide post*, 43-52.

⁵ James I, *VVorke* (Montagu ed.), 79.

⁶ Brook, Benjamin, *History of Religious Liberty* (L., 1820), I, 371.

⁷ Fuller, Thomas, *Church History of Britain* (Oxford, 1845), V, 155.

his theory and his practice as King of England. James had likewise waxed tolerant in his letter to the Dutch Church in London, which had petitioned the royal favour for continental Protestants who might be driven by persecution abroad to seek refuge in England. The King declared that if he had been able while King of Scotland and living "as it were in a corner of the world" he would have shown them every indulgence at the time they were forced to flee from the Low Countries before the Spanish wrath. "But since it has pleased God to make me king of this country, I swear to you, that if any one should give you disturbance in your churches, upon your application to me, I will revenge your cause. And although you be none of my proper subjects, yet will I maintain and cherish you, as much as any prince in the world can."¹

Perhaps James's clearest statement of his aversion to religious persecution is to be found in his speech to Parliament in 1609. He declared that he was convinced that the shedding of blood and too great severity were improper instruments in religion. Besides, it is a sure rule of divinity "that God never loves to plant His Church by violence and bloodshed; naturall reason may even perswade us, and dayly experience proves it trew, that when men are severely persecuted for religion, the gallan-nesse of many mens spirits, and the wilfulnes of their humours, rather than the iustness of the cause, make them to take a pride boldly to endure any torments, or death it selfe, to gaine thereby the reputation of martyrdome, though but in a false shadow."²

James held the normal and orthodox view of the position of the prince in the Church and of his positive duty to assist in the suppression of diversity and error. But there were in his philosophy certain tolerant inconsistencies which dissenters of his own day, and especially of the next generation, were to exploit to the full. For the King had granted half the brief of toleration when he conceded that persecution could not make a Christian or secure unity in the doctrine, of the Church. Indeed, he went farther and asserted that it was a mistake of both policy and ethics to attempt any such coercion of opinion. He did ask for quietness; for peace in inconsequential matters

¹ Strype, John, *Annals of the Reformation* (Oxford, 1824), IV, 539-540.

² *Political Works of James I*, 322.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND
of order and ceremony; for a patient and reasonable criticism by the opposition—but he had conceded without reservation the logical grounds for coercion. This cession becomes even clearer and receives even fuller treatment in his detailed consideration of Roman Catholic policy which we shall discuss in a later connection.¹

3. THE ANGLICAN POSITION WITH RESPECT TO THE PROBLEM OF DISSENT, 1603-1625

a. *Orthodox Anglican Theory*

Anglican thought in this period tended, on the whole, to give warm support to the King's position. It must be said that the springs of inspiration in the Church of England seemed to be running dry. In a period of two decades not a work appeared which added anything of consequence to the thought of the great Anglican apologists of the preceding generation. Anglican thought was thin, dull, and uninspired: energy and originality now resided in the Puritan and Separatist camps. The analysis of Anglican theory which we now present will be seen to be based upon incomplete and somewhat confused materials.

There was general agreement on the power and position of the King in the Church. The functions of the prince and of the priest were clearly differentiated. "The prince hath no more authoritie to enter upon the execution of the priests function, than the priest hath to intrude upon any part of the office of the prince."² But in a Christian State the Church and State cannot be considered as different societies, "but are one and the same body of men considered in two different relations and capacities." The duties of the Christian subject to the State and to the Church are so closely interwoven as to make it quite impossible for the Church to order her spiritual affairs without at the same time vitally affecting the State.³ The Christian prince has, therefore, a

¹ *Vide post*, 63, 74-83.

² Ussher, James, *A speech delivered in the castle-chamber at Dublin, . . . 1622*, 5.

³ Turner, John, *An Essay on Ecclesiastical Authority* (L., 1617), 16. The writer has not been able definitely to identify Turner.

positive duty and charge in the Church, "aswell in punishment of an heretick, or an idolater, or a blasphemer, as of a thiefe, or a murtherer, or a traytor; and in providing by all good meanes, that such as live under his government may leade a quiet and peaceable life in all piety and honesty."¹ Heresy, for example, is a spiritual offence. But, since "the officers of the church have no authority to take away the life of any man: it must be done therefore *per brachium seculare*; . . ."² The magistrate, by his intervention in the affairs of the Church, exercises a part of civil government in the punishment of crimes which are by nature spiritual, but over which the State alone can wield jurisdiction. There is no way in which public peace and order may be secured save by the subordination of the Church to the State in all matters of government.³ The King has a positive duty to guard the Church and to assist true religion in every possible way. It is necessary, therefore, that he should compel men to conformity in religion and punish disbelief.⁴ If this were not the case, his government would degenerate into "the preservation of peace and order, and justice in human societies without any regard to God and religion."⁵ Then, too, the Old Testament plainly charges the godly prince with the suppression of idolatry and other scandals in the church society.⁶

In their consideration of the problem of doctrinal dissent from the Establishment, the Anglican apologists of this period distinguish somewhat more clearly between dissent in non-fundamental beliefs and outright heresy than their Elizabethan predecessors were wont to do. There are, in fact, fairly clear indications of increasing liberality in this matter. Thus in about 1615 Jegon (Norwich) wrote to Abbot, wishing to convict one William Sayer of heresy and asking for authority to burn him. Abbot analyzed the list of heresies which Jegon had enclosed and pointed out that the accused person had fallen into a confused medley of Barrowist, Baptist, and other Separatist doctrines. He refused to regard the charges seriously,

¹ Ussher, *A speech*, 5-6.

² *Ibid.*, 6-7.

³ Turner, *Ecclesiastical Authority*, 17.

⁴ Lever, Christopher, *Heauen and Earth* (L., 1608), 61.

⁵ Turner, *Ecclesiastical Authority*, 30.

⁶ *Ibid.*, 31-33.

holding that "it will never bee assented to, that hee should burne as an heretique, unlesse hee denie something expressly conteyned in the three creeds or in the foure first generall-counsells."¹

At the same time, aggressive nonconformity and error cannot be tolerated in a well-ordered Church. Subjects who are persuaded that they worship and believe according to the Word, but who dissent from the Church, may petition the prince for toleration.² They may use all reasonable means to convince him of the truth of their beliefs and practices. But if their petition is denied they must then submit to the prince and the Church with all Christian humility. For diversity of belief is nothing more than a licence to idolatry and is repugnant to the Will of God.³ There is no other remedy against spiritual error than intelligent compulsion, "for olde sores are not cured without cutting and lancing; . . ."⁴, though severe measures should not be taken against misbelievers who are completely blinded by error.⁵ The Church of England has been extraordinarily mild in its treatment of error and no one can accuse it of want of charitable moderation.

The Anglican thinkers pointed out, however, that the moderate policy of the Establishment towards dissent and error might lead to spiritual chaos. Separatists are dangerous to the State and they are steadily weakening the foundations of the Church and of the State because of their occupation with a few non-essential points of doctrine and discipline. "They balke the high-way wherein they ought to walke,

¹ *G. Abbot to John Jegon, Camb. Addit. MSS.*, MM 6, 58, fol. 181 (c. 1615).

² Barlow, William, *An answver to a Catholike English-man*, etc. (L., 1609), 121.

³ *Ibid.*, 123.

⁴ Leslie, Henry, *A Treatise Tending to Vnitie*, etc. (Dublin, 1623), 44.

⁵ *Ibid.*, 46. Henry Leslie (1580-1661) was a Scot by birth. He was educated at Glasgow, and emigrated to Ireland in 1614, where he entered the clergy a few years later. The sermon under consideration was preached at Drogheda before the Royal Commissioners and attracted considerable attention. Leslie was a curate at Drogheda 1622-1626, and found favour with the King, before whom he preached on several occasions. He was consecrated Bishop of Down and Connor in 1635. As a bishop he was violently hostile to the Presbyterians in Ulster and was one of the early supporters of the Laudian regime. He was an outspoken supporter of the King and fled abroad in 1648, where he lived for years in poverty and obscurity. (*D.N.B.*; *Carte, Ormonde.*)

neglect the main end at which they should drive, and aime obliquely at private gaine, vaine glory, satisfaction of some base humour or passion.”¹ They are guilty of spiritual anarchy, which will speedily dissolve the foundations of the State as well, and there is no course but to compel them to obedience to the crown.² There has been too much laxity and tolerance in England. Every man’s judgment will lend confirmation to the view that uniformity is the proper order in religion. The world has always been torn by infinite opinions, “everie time, and everie place of men differing in their opinions of religion,” but no responsible person has ever maintained that this was desirable.³ The rapid spread of heretical and sectarian beliefs may be due in no small measure to the growth of the opinion that the advent of the Gospel abrogated both the judicial and the moral laws of Moses, and the corollary denial of the power of the State to coerce error. The King holds his authority from God and he cannot permit his spiritual duty to lapse. “All popular commotions, unreasonable railing, vomiting of unchristian scandall, factious conspiracies, and treasonable practices, are the badges of disloyall and treacherous subiects” who should be firmly restrained and brought to complete obedience by the prince.⁴

While the Anglican theorists were paying formal service to the doctrine of the repression of heresy and dissent, a significant conviction was growing that some attempt must be made to distinguish between disagreement in the fundamentals of faith and in less serious beliefs. We have already noticed that Abbot had laid down the early formularies as containing the necessary body of doctrine from which there could be no variation. Bernard, writing a few years later, advanced a more liberal interpretation.⁵ The true Christian, he held, should

¹ Scot, Patrick, *Vox vera* (L., 1625), 26. Little is known about the career of Scot. A native of Scotland, he appears to have emigrated to England about 1604. He may have been a tutor to Prince Charles at one time. He lived for a few years in Amsterdam, and his *Vox vera* was based upon his observation of the English sectaries there. He wrote well and pleasantly on a variety of topics.

² *Ibid.*, 27-28.

³ Lever, *Heauen and Earth*, 6.

⁴ Scot, *Vox vera*, 29.

⁵ Bernard, Richard, *Christian Advertisements and Counsels of Peace* (L., 1608). Bernard (1568-1641) has usually been regarded as a Puritan. He

search the Bible for truth and should endeavour to arrive at his own conception of faith. The Church does not dare to call every truth fundamental.¹ He asserted that "the only fundamentall truth in religion is this: that Jesus Christ the sonne of God, who took our nature of the virgine Mary, is our onely and all sufficient Saviour."² All persons who accept this fundamental tenet are in the way of salvation, and all other doctrines and teachings of the Church are of secondary importance and tend only to demonstrate this one essential truth.³

We shall be interested to observe the development of this most important teaching. As men began to examine their faith in an effort to find the fundamentals upon which they could agree, half of the struggle for toleration had been won. This objective tendency reveals at once a disturbed conscience over the division of Christianity into numerous bickering sects and a weakening of the rigidity of the doctrinal structure. Men cast off layer after layer of the doctrinal structure until they began to discover that the fundamentals of Christianity were amazingly simple and that no other basis for charity and unity could possibly be found. Bernard's definition would bring into the fold of the true Church every Christian group, though he did not appear to be aware of this important fact. The tendency to enlarge the basis of unity led most of the Anglican writers to recognize that the Roman Church was a true communion in which salvation might be gained, despite its gross errors and pagan superstitions.⁴

was educated at Cambridge, and entered the clergy in 1601. At one time he was closely associated with the sectaries, with whom he later engaged in a virulent controversy. In 1613 he was presented with a comfortable living in Somersetshire where, despite his independent and occasionally unorthodox views, he remained unmolested. He was a bitter foe of the Anglo-Catholic party after 1625.

¹ That is, "such as if it be not knowne and obeyed, the whole religion and faith of the church must needes fall to the ground." (Bernard, *Christian Advertisements*, 174.) ² *Ibid.*, 174-175. ³ *Ibid.*, 175.

⁴ Perhaps one or two examples will suffice. Robert Abbot, in his bitter attack upon the Romanists (*The Danger of Popery*, etc., L., 1625), found himself forced to admit that the Roman Church embraced principles which may lead its members to salvation (p. 24). "For who doubts not that the belief, the ten commandements, the Lord's prayer, and the Sacraments, doe comprehend all saving fundamental? points of faith and practice?"

b. John Donne, and Moderate Anglican Theory

The growth of a more liberal attitude amongst the Anglican thinkers is perhaps best illustrated by the thought of John Donne, poet and preacher, who may be regarded as the most considerable contributor to Anglican theory during James's reign. Donne's thought does not cover the full range of theological speculation, is at times hazy and blurred, and is not always consistent. But the warmth and penetration of his observations, his great charity and patience, and his remarkable objectivity contrived to make him an important figure. We should remember that Donne was reared in the atmosphere of a persecuted faith. His mother was obliged to spend most of her life abroad and several of Donne's relatives felt the sting of the penal laws. These influences were to affect him profoundly in later life. The young Donne was ambitious and apparently devoid of deep religious convictions and the easy solution of nominal conformity must have suggested itself to him.¹ But Donne, in the struggle which the polity of the astute Elizabeth had imposed upon him, scrupulously avoided this comfortable solution and sought truth for himself amongst the conflicting creeds and ecclesiastical contentions of his day. Most men, he held, accept the teachings of the Church without question. Men are moulded in their religious beliefs rather more by the accidents of birth, education, and fate than by intellectual conviction. They forget that the way to Truth is not easy and that every man must scale the heights towards her for himself:

(p. 24). Some years earlier Thomas Morton had expressed a similar view. Though the Roman Church is corrupted with error and superstition, yet its foundations have not been ruined, and "the erroneous and superstitious professors may be saved: even by the virtue of that tenor which is *in capite*, viz. Christ Jesus, the Lord and author of Life" (Thomas Morton (or Murton), *A Catholike Appeale for Protestants* (L., 1610), 444). The author was probably Thomas Morton of Christ College, Cambridge, rather than the bishop of the same name, as the B.M. and Mc. catalogues would indicate.

The more characteristically Reformation view still persisted amongst the Anglicans, however; *vide* Merideth, John, *The Iudge of Heresies*, etc. (L., 1624), 1-18, who argues that the Roman religion is completely false and that Papists cannot be saved.

¹ Donne, John, *Poems* (H. J. C. Grierson, ed.), II, xvi.

"On a huge hill,
Cragged and steep, Truth stands, and hee that will
Reach her, about must, and about must goe;
And what the hills suddenes resists, winne so;
Yet strive so, that before age, deaths twilight,
Thy soule rest, for none can worke in that night."¹

Donne found himself convinced that the fundamentals of Christianity were simple, and that they were sufficiently held by most Christian communions. All churches, he said, are "virtual beams of one sun." This being so, the natural loyalty of an Englishman would lead him to embrace the communion of the national Church.² Throughout life he was provoked by the intolerant tendency of each Christian group to pretend to a monopoly of saving truth. With Hooker, he refused to limit salvation to any faith or creed. "Nothing hinders our own salvation more, then to deny salvation, to all but our selves."³ No Church can pretend to be an infallible guide to Truth. Donne scoured unsparingly the pretensions of the Churches of his own day:

"Mirreus

Thinking her⁴ unhous'd here, and fled from us,
Seekes her at Rome; there, because hee doth know
That shee was there a thousand yeares agoe.

Crantz to such brave loves will not be inthrall'd,
But loves her onely, who at Geneva is call'd
Religion, plaine, simple, sullen, yong,
Contemptuous, yet unhansome; . . .

Graius stayes still at home here, and because
Some preachers, vile ambitious bauds, and lawes
Still new like fashions, bid him thinke that shee
Which dwels with us, is onely perfect, he
Imbraceth her, whom his godfathers will
Tender to him, being tender, as wards still
Take such wives as their guardians offer, . . .

Graccus loves all as one, and thinkes that so
As women do in divers countries goe
In divers habits, yet are still one kinde,
So doth, so is religion."⁵

¹ Donne, *Poems* (Satire III, c. 1594-1597), I, 157.

² Donne, *Poems*, II, xvii.

³ Donne, *Fifty Sermons*, 285.

⁴ I.e., Truth.

⁵ Donne, *Poems* (Satire III), I, 156-157.

We judge too harshly and intolerantly in those divine matters about which we have so little knowledge. It is true that God has revealed no means of attaining salvation save in His Church. "Yet we must be so far, from straitning salvation, to any particular Christian church, . . . as that we may not straiten it to the whole Christian church." For what certain knowledge have we that God may not have destined men for salvation who have never been members of the Christian Church at all? Just as there are an infinite number of stars, so there may be an infinite number of souls that will be saved. "Let us not inquire too curiously, determine too peremptorily, pronounce too uncharitably: . . ."¹ We do know that God's love and mercy are not confined to a single race of men, and we should not be narrower in our charity than is God. Indeed, there are even assurances that the heathen may, through God's mercy, be saved.²

The uncertainty and the dimness of man's vision should not discourage us in our search for truth. It is man's privilege and duty to find that truth which meets the requirements of his own soul, and he must in charity and humility judge lightly those who differ from him in judgment. The search for truth is difficult and many do not find it, but in the making of the search men find themselves and discover true spiritual values:

"Though truth and falsehood bee
Neare twins, yet truth a little elder is;
Be busie to seeke her, beleeve me this,
Hee's not of none, nor worst, that seekes the best.
To adore, or scorne an image, or protest,
May all be bad; doubt wisely; in strange way
To stand inquiring right, is not to stray; . . ."³

In 1609, while engaged in the attack on Bellarmine, Donne wrote in the same spirit. "You know I never fettered nor imprisoned the word religion, nor straightening it friarly, *ad religiones facticias* (as the Romans call well their orders of religion), nor immuring it in a Rome, or a Wittemberg, or a Geneva; they are all virtual beams of one sun, . . . They

¹ Donne, *Fifty Sermons*, 214.

² Donne, *LXXX Sermons*, 262.

³ Donne, *Poems*, I, 157.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

are not so contrary as the North and South Poles, and that [sic] they are co-natural pieces of one circle."¹

The acceptance of orders in the Church of England made no appreciable difference in the charity and breadth of Donne's thought. Indeed, his early restlessness and quixotic scepticism gave way to a deep and tolerant sympathy for all men who sought truth earnestly and sincerely. As Simpson has said, "He preached toleration in an age which demanded rigid conformity, and his controversial sermons lacked the bitterness which was demanded of a zealous defender of the faith."² Donne's consuming passion was the hope that eventually Christianity might be reunited by the mutual concessions of the various Christian bodies on the basis of a simple agreement on the fundamentals of faith. He taught that the various communions were in reality branches of the same Church.³ The errors of the Church of Rome have been so great that the Church of England has been driven to a separate reformation, but the English Church left regretfully and still grieves for the rent in Christ's robe. "They gave us no room amongst them but the fire, and they were so forward to burn heretiques, that they called it heresie, not to stay to be burnt."⁴ He preferred the moderation and tolerance of the English Church to the bigoted exclusiveness both of Rome and of Geneva. "The over bending, and super-exaltation of zeale, and the captivity to the private spirit, which some have fallen into, that have not beene content to consist in moderate, and middle wayes in the Reformed Church; this easinesse of admitting imaginary apparitions of spirits in the papist, and this easiness of submitting to the private spirit, in the schismatike, hath produced effects equally mischievous."⁵ This brutal intolerance destroys the spirit of Christianity and may in fact blind us so that we are ourselves lost. "Take heed how you condemne another man for an heretique, because he beleives not just as you beleieve; or for a reprobate, because he lives not just as you live, . . ."⁶

¹ Quoted in Gosse, Edmund, *The Life and Letters of John Donne*, I, 226.

² Simpson, E. M., *A Study of the Prose Works of John Donne*, 67.

³ *Ibid.*, 77.

⁴ Donne, *Fifty Sermons*, 214.

⁵ Donne, *LXXX Sermons*, 42.

⁶ *Ibid.*, 53.

The Anglican contribution to the discussion of the problem of dissent and its relation to the dominant order was very slight indeed during the period under consideration. When the Anglican apologists of James's reign are compared with the Elizabethan giants, this unfavourable impression becomes even stronger. The Puritan and Separatist groups were at the same time examining closely and critically the legal and theoretical pretensions of the State Church, and Anglicanism could ill afford to ignore this rising tide of criticism. Anglicanism seemed barren until its defence was taken up by the Anglo-Catholic party, which almost immediately changed the entire basis of its thought. Intellectually, at least, Anglicanism was on the defensive during the Jacobean period. The traditional teaching regarding the role of the magistrate in the Church was accepted and reiterated. There was a slight softening of the doctrine of coercion and a noticeable tendency to distinguish between dissent in non-essential doctrines and practices and outright heresy. With Donne, a tolerant and moderate definition was given to the Anglican position, but the great preacher remained isolated. His thought is to be linked with that of the moderates who subscribed to no party rather than with the main stream of Anglican theory.

4. THE LEGATE AND WIGHTMAN CASES (1612), AND THE REACTIONS AGAINST THE PUNISHMENT OF HERESY BY DEATH

The Anglican theory of coercion was becoming weaker, but it could under exceptional circumstances still supply the rationalism underlying the active persecution of heresy. For in 1612 occurred the last executions for heresy in England.¹

¹ Summers, W. H. (*Cong. Hist. Soc. Transact.*, II, 362 ff.), has made an interesting attempt to calculate the number of persons put to death in England for heresy during the Reformation period:

Henry VIII (1534-1547)	51
Edward VI	2
Mary	284
Elizabeth	5
James I	2
	344

It is interesting to notice that in the three typically Protestant reigns not more than nine persons were executed under the statute *de haeretico*

In that year two Englishmen, Bartholomew Legate and Edward Wightman, were burned for holding heretical opinions. Legate is said to have been a native of Essex and was, according to Fuller, about forty years of age, and of dark and handsome complexion.¹ He was described as a man of bold spirit and fluent tongue and had, apparently, acquired considerable knowledge of the Bible.² For some time he had preached in the London district and had made no effort to avoid conflict with the ecclesiastical authorities. His theological views were highly radical and it would appear that he had adopted advanced Socinian opinions,³ without any considerable knowledge of earlier anti-trinitarian thought. Edmund Jessop, in his *A Discovery of the Errors of the English Anabaptists* (1623), informs us that Bartholomew was one of three heretical brothers. The Legates held that there could be no true Church until new apostles had further revealed God's truth, and declared that they had received this commission.⁴ One of them, Walter Legate, was drowned about 1603 and another, Thomas, died about 1607 in Newgate, where he was in prison for having taught Socinian doctrines. "The third called Bartholomew Legat, was burnt in Smithfield . . . being condemned for the same heresie of Arius, for they all held, and stood stoutly for the same also. These Legats had a conceit, that their name did (as it were) foreshew and entitle them, to be the new apostles, that must doe this new worke; but you see what became of them."⁵ An effort was made to avoid a public trial of the case since Legate was brought before the King prior to the institution of formal charges.

James, who followed both the Legate and the Wightman cases with the closest attention, struggled valiantly to convince Legate of his errors. Persuasion having failed, the King tried *comburendo*. The itemized list for the reigns of Elizabeth and James I follows: 1575 (July 22nd), Jan Wielmacker and Hendrick Terwoordt at Smithfield; 1579 (May 20th), Matthew Hament (or Hammond) at Norwich; 1583 (September 17th), John (or Thomas) Lewis at Norwich; 1591, Francis Ket at Norwich; 1612, Bartholomew Legate and Edward Wightman.

¹ Fuller, *Church History*, V, 419.

² Crosby, Thomas, *History of the English Baptists* (1738), I, 107.

³ Price, Thomas, *History of Protestant Nonconformity*, I, 517.

⁴ Jessop, *Discovery of the Errors of the English Anabaptists* (1623), 76.

⁵ *Ibid.*, 77.

to trap him into an admission of Christ's divinity by asking him "whether or no he did not daily pray to Jesus Christ, which had he acknowledged, the king would infallibly have inferred that Legate tacitly consented to Christ's divinity." But Legate was not to be ensnared so easily and stubbornly maintained his position by replying that he had prayed to Christ in the days of his ignorance but that he had not done so during the past seven years.¹ The impiety and obstinacy of the man aroused James's wrath and Legate was handed over to the episcopal court, which lodged him in Newgate while a course of procedure was being devised. John King, Bishop of London, was charged with the responsibility of bringing him to trial. The bishop seems to have tried every possible way to avoid bringing the case to issue and Legate was frequently allowed liberty from the prison.

Unfortunately, however, Legate was by no means subdued and seems to have enjoyed the furore which his views had raised. He continued to expand his opinions to all who would listen and committed the crowning imprudence of threatening to institute an action against the episcopal court on charges of false imprisonment. With this, the Government hastened to prepare an action under the statute *de haeretico comburendo*. Some doubts were expressed, however, about the legality of an action under this statute since it was argued that it had been the intention of the Elizabethan Act of Uniformity to repeal the measure. Abbot wrote to the Chancellor, Ellesmere, on January 21, 1612, requesting him to appoint a commission of three or four judges to deal with the case. He pointed out that the King was anxious to proceed against Legate, and on the following day wrote again to urge the chancellor to exercise great care in the selection of the judges and to see to it that men were chosen "who make no doubt that the law is clear to burn them."² In particular, he requested that Coke should be excluded from the commission, since it was well known that he did not agree with the Government's interpretation of the statute. Coke, who was seizing upon every precedent which

¹ Fuller, *Church History*, V, 419. Fuller tells us that this account was related to him by Archbishop Ussher, who had had it directly from the King.

² *The Egerton Papers* (Camden Society, 1840), 446-448.

could embarrass the Government, held that the judicial power in cases involving heresy no longer rested with the Convocation, or with its delegates, but that it had been lodged by Elizabeth in the Court of High Commission. Abbot represented that he had consulted with "Mr. Justice Williams . . . who maketh no doubt that the law is clear to burn them," since this particular episcopal power had never been specifically abrogated, save that the bishop should no longer hand a condemned heretic over to the sheriff for execution under his court's authority, but should call upon the chancellor for a writ after the episcopal court had pronounced its judgment.

The King intervened in the controversy on the side of the archbishop, and Legate was speedily adjudged guilty by a trial board of "many reverend bishops, able divines, and learned lawyers." During the course of the examination it was shown that Legate held grievous errors respecting the doctrine of the Trinity, and in this century no other heresy was looked upon with such horror by all of the Christian communions. Legate denied that the Nicene and Athanasian creeds contained a true profession of Christian faith and refused to acknowledge them. He held tenaciously to the view that Christ was not the begotten son of God, that there were no persons in the God-head, and that Christ should not be worshipped.¹ The members of the court made valiant efforts by sermons, scolding, and browbeating to dissuade Legate from his views, but he remained firm.² The court therefore adjudged him "an obdurate and contumacious, and incorrigible heretic" and certified its

¹ James, in a letter to Ellesmere demanding a writ ordering the execution, listed his heresies. Legate held "that Christ is not God of God begotten, not made, but begotten and made; that there are no persons in the God-head; that Christ was not God from everlasting, but began to be God, when he took flesh of the Virgin Mary; that the world was not made by Christ; that the Apostles teach Christ to be man only." He believed "that there is no generation in God, but of creatures"; that the common teaching that God was made man was contrary to the rule of faith and a monstrous blasphemy; "that Christ was not before the fulness of time, except by promise; that Christ was not God, otherwise than anointed God; . . . that Christ was not in the form of God equal with God, that is, in substance of God, but in righteousness and giving salvation." (Howell, T. B., *State Trials*, II, 731-732.)

² Somers, J., *A Collection of Scarce and Valuable Tracts* (2nd ed.), II, 401.

judgment to the chancery, upon delivering his person to the secular power.¹

After further efforts to persuade him to recant had failed, the King informed the chancellor that "we therefore, according to our regal function and office, minding the execution of justice in this behalf, and to give example to others, least they should attempt the like hereafter, have determined, by the assent of our council, to will and require" the chancellor to issue a writ of execution.² A few days later such a writ was issued to the sheriffs of London setting forth that Legate had been found guilty of "very many wicked errors, false opinions, heresies, and cursed blasphemies, and impious doctrines, expressly contrary to the catholick faith and religion, and the Holy Word of God." These opinions he holds obstinately and the episcopal court has declared him "a stubborn heretick, and rotten contagious member to be cut off from the Church of Christ, and the communion of the faithful." The Church has accordingly surrendered him to the secular power, and "we therefore, as a zealous promoter of justice, and a defender of the Catholic faith, and being willing to maintain and defend the holy church, and rights and liberties of the same, and the catholic faith," have resolved according to the laws and the customs of England to destroy this heretic. The sheriffs were accordingly commanded to commit Legate "publicly to the fire, before the people, in a public and open place in West-Smithfield, . . . and that you cause the said Bartholomew Legatt to be really burned in the same fire, in detestation of the said crime, for the manifest example of other Christians, lest they slide into the same fault."³ Just a week later the miserable Arian was burned at Smithfield in the presence of a huge crowd.⁴

We know considerably more about Wightman's views and the course of the procedure against him can be followed more exactly. He was a draper, and a native of Burton-on-Trent,⁵ and began to broach his highly unorthodox opinions at the

¹ Fuller, *Church History*, V, 422. *Vide* Makower, F., *The Constitutional History and Constitution of the Church of England*, 192-193, for his interpretation of the procedure.

² Howell, *State Trials*, II, 732.

⁴ Fuller, *Church History*, V, 423.

³ *Ibid.*, II, 733-734.

⁵ *Ibid.*, V, 423-424.

occasional meetings of the ministers of the locality.¹ It seems probable that because of the disturbances which Wightman created Bishop Neile (Lichfield) suppressed these assemblies in 1611. In this early period Wightman was chiefly interested in denouncing the practice of infant baptism. "He held that the baptizing of infants is an abominable custom. That there ought not to be in the church the use of the Lord's Supper to be celebrated in the two elements of bread and wine . . . that the use of baptism is to be administered in water only to converts of sufficient age and understanding, converted from infidelity to the faith."²

Later in the same year Wightman journeyed to Royston, where he presented James with an eighteen-page manuscript pamphlet, the purpose of which was to discover and refute the doctrine of the Nicolaitans.³ James was at the moment engaged in the controversy over Vorstius and was outraged by the similarity of some of Wightman's opinions to those of the Arminian group. In any case, he was determined to check the spread of heresies in England. He ordered the unfortunate Wightman committed to the Gatehouse, and called upon the sternly orthodox Neile, bishop of the diocese, to attempt to rescue the prisoner from his blasphemous errors.

Many years later Neile gave a full account of the proceedings against Wightman in a letter to Carleton regarding the case of a Separatist named Trendall.⁴ Neile, with the help of his then chaplain, Laud, and other divines, examined Wightman, "using many conferences with him myself and by other learned divines to make him see his blasphemous heresies, and to reclaime him." These conferences were continued from Easter until October 1611, but to no avail, for the prisoner "became every day more obstinate in his blasphemous heresies." The trial of the case was opened on November 19, 1611, in the consistory of Lichfield cathedral and lasted through

¹ Matthews, A. G., *The Congregational Churches of Staffordshire*, 11.

² Evans, B., *The Early English Baptists*, I, 233.

³ Matthews, *Congregational Churches*, 12; *Ashmole MSS.*, 1521, vii.

⁴ *Vide S.P. Dom.*, *Charles I*, cccxxxii, 27, IV; *Council Reg.*, July 2, August 2, 1639; and *S.P. Dom.*, *Charles I*, cccxxvii, 78, and cccxxxii, 27, I-III. Reprinted in full in *Cong. Hist. Soc. Transact.*, I, 199-200. *Vide post*, 164-165.

seven sessions until December 5, 1611. On the second day the crowd which pressed in to hear the proceedings was so large that the court was adjourned to larger quarters in the cathedral. Wightman testified that he had been baptized in the Church of England and that "from the tyme of his infancy untill within these two years last past he did hould and beleive the Trinity of persons in the unity of the deity."¹ In the Wightman case, too, it was the prisoner's heresies concerning the Trinity which especially troubled the authorities. But, if Wightman's enemies are to be trusted, he was also in error on almost every other point of doctrine which Neile and his corps of experts could bring forward. There can be little doubt but that Wightman was the victim of religious mania. He seems to have believed that he was the prophet promised to the world by Moses and the comforter foretold by Christ.²

Upon receiving this report the King ordered Neile to take Wightman to Lichfield and there to proceed against him as a "blasphemous heretic." Upon the arrival of the court at the cathedral town, Neile and the other divines held frequent conferences with the defendant, but were unable to dissuade him from his errors. Then, so Neile wrote, "we proceeded in a legall way against him in ye consistory; but after sundry dayes past in a legall manner of p'ceeding, . . . we appointed a day for sentence, wch was executed in ye bodye of ye church,

¹ *Ashmole MSS.*, 1521, vii.

² *Vide Ashmole MSS.*, 1521, vii, for a full account of the trial, and Howell, *State Trials*, II, 735, for the writ, which recites additional heresies. Wightman was plainly mad. He held Unitarian opinions, declared that all of the Christian creeds were heretical, announced that he was a divinely ordained prophet, and identified himself with the Holy Ghost. He held the typical Baptist views that baptism should be reserved for those of mature age who have experienced regeneration, and announced that he had been sent into the world by God "to perform his part in the work of the salvation of the world, to deliver it by his teaching, or admonition, from the heresies of the Nicolaitanes; as Christ was ordained and sent to save the world, and by his death to deliver it from sin, and to reconcile it to God." He denounced the sacrament of the Eucharist in all the Christian forms and declared that Christianity was only partially professed in England. Though Wightman had been convicted of almost every heresy in the Christian calendar, the warrant for his execution declared that he likewise held "other cursed opinions by the instinct of Satan excogitated and heretofore unheard of." (Howell, 735-737.)

and before ye sentence denounced, myselfe began ye business with a sermon and confutation of his blasphemies against ye Trinity of persons in ye unity of ye eternal God head. The other divines that assisted me each of them confuting one of ye pointes of his blasphemous opinions. To all which he no way relenting, but p'sisting in his blasphemies, I read ye sentence against him to be a blasphemous heretique, and to be accordingly certified to ye secular powr, whereupon his matie's writ was directed to ye sheriffe of ye county . . . to burn him as a heretique."

Neile then gives us, in a completely unconscious manner, one of those rare and tantalizing insights into the temper and feeling of the past. He says that when the flames began to burn Wightman, he cried out in pain that he was ready to recant. "The people thereupon ran into the fire, and suffered themselves to be scorcht to save him." A form of recantation was hastily prepared and the unfortunate man, still chained to the stake, accepted it. He was then recommitted to prison. Two or three weeks later he was returned before the consistory court where he was called upon to make a legal recantation. Wightman had apparently found renewed courage and withdrew his earlier recantation. The King was informed of the circumstances and ordered the execution to be carried out without further delay. On April 11, 1612, Wightman "died blaspheming,"¹ the last human being to suffer death for a religious opinion in England.

There can be little doubt that these executions outraged public feeling in England. The conviction that religious opinions could not be rooted out by force and that the sword was no fit instrument in spiritual matters had been gaining ground rapidly in England for two generations. The action of the spectators at Lichfield, undoubtedly simple folk, is indicative of the feelings of the mass of Englishmen on the subject of burning for heresy in 1612. Either because of the strength of public feeling or because his own conscience had revolted at the Legate-Wightman tragedy, James revoked the death sentence of a Spanish Arian who had been condemned at about this time.²

¹ *S.P. Dom., Charles I, cccxxxii, 27, IV.*

² Price, *Protestant Nonconformity*, I, 518.

The Socinian was allowed to languish in Newgate for the remainder of his life.¹

Fuller was deeply shocked at this display of barbarism and testifies to the public reaction. "Such burning of heretics much startled common people, pitying all in pain, and prone to asperse justice itself with cruelty, because of the novelty and hideousness of the punishment; and the purblind eyes of vulgar judgements looked only on what was next to them, the suffering itself, which they beheld with compassion, not minding the demerit of the guilt which deserved the same. Besides, such being unable to distinguish betwixt constancy and obstinacy, were ready to entertain good thoughts even of the opinions of those heretics, who sealed them so manfully with their blood."² The historian says that James was deeply impressed by this reaction and that henceforth he punished heresy by imprisonment in order to avoid the reputation of being a persecutor and to prevent the raising of heretics to martyrdom.

The burning of Legate and Wightman represents an abnormal phase of James's policy which was wholly out of keeping with his known sentiments on the subject of heresy. James was a kindly and, on the whole, a merciful man. But the Arminian controversy had agitated him as did nothing else in the reign,³ and he had expressed himself violently on the subject of heresies which weakened the Calvinistic orthodoxy of which he was a valiant defender. Legate and Wightman were England's sacrifice to the desperate stand which Calvinism was making against the dissolvents of doctrinal rigidity.⁴

But, as James had himself written, such measures were not able to check the spread of heretical opinions. A few months after the execution of Legate and Wightman the Privy Council was concerned because of the dissemination of heresies very similar to those which they had held. The Council rebuked the mayor of Sandwich for having permitted the spread of heresy amongst those of the town who resorted to Holland. The mayor had been grossly negligent, if not favourable

¹ Fuller, *Church History*, V, 424.

² *Ibid.*, V, 424-425.

³ *Vide post*, 319-349.

⁴ *Vide Frere*, W. H., *The English Church in the Reigns of Elizabeth and James I*, 370.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

to them, and was ordered to see to it that the sectaries of his town should either emigrate or conform.¹ In the previous year the Council had complained to the Warden of the Cinque Ports that heresies were coming into England from Amsterdam through the ports under his jurisdiction. The Council had no doubt that various persons were aiding and protecting these heretical Englishmen.² These apprehensions were well founded, for in this decade sectarianism gained a foothold in England from which it could never be dislodged.

5. PURITANISM BECOMES THE SYMBOL OF PROTESTANTISM IN ENGLAND

James's policy of repression was reasonably effective in checking the open spread of Puritanism and of sectarianism. An ominous calm fell over the religious scene during the closing years of the reign. But the forces of dissent were gathering strength and were quietly extending their following throughout the realm. James apparently misjudged the comparative quiet which his coercive measures had secured for the breaking of the spirit of dissent. It is difficult to interpret the negotiations for the Spanish marriage treaty in any other way, for his commitments to the Catholic power were an open challenge to militant Protestantism.³ When a storm of protest arose from the pulpits of England, James characteristically tried to check it by royal fiat. He ordered the clergy to desist from the handling of controversial topics and ruled "that noe preacher of what title or denomination soever shall . . . without invitation from the text fall into bitter invectives and indecent raling speeches against the persons of either Papists or Puritans but modestly and gravely when they are occasioned thereunto by the text of Scripture free both the doctrine and discipline

¹ *Acts of the Privy Council* (New Series), October 5, 1614.

² *Acts of the Privy Council*, December 19, 1613. The spread of nonconformist views was greatly assisted by the influx of foreign Protestants seeking refuge from persecution abroad. In 1621, it has been estimated, there were ten thousand foreign Protestants living in London alone. (Cooper, W. D., *Lists of Foreign Protestants, and Aliens, Resident in England*, Int., iv.)

³ *Vide post*, 90-110, for a consideration of these negotiations and the English reaction to them.

of the Church of England from the aspects of either adversary especially when the auditory is suspected to be taynted wthe . . . one or the other . . .”¹

James's greatest source of strength in the religious struggle which had been raging throughout his reign was his stalwart Protestantism and his championship of orthodoxy. Against this assurance the waves of dissent had broken with comparatively small effect. But the King's Spanish policy and the silencing of the harsh Puritan attacks on the slightest concessions to the Romanists caused a widespread conviction that James was wavering in his devotion to Protestantism. After the publication of the Articles restraining preaching, Chamberlain wrote to Carleton that the Dean of St. Paul's had “preached at the Cross, to testify the king's . . . constancy in the true reformed religion, which the people, it should seem, began to suspect.”² England knew enough of James to realize that he could be guilty of no more than a temporary aberration from the principles of the true faith, but when his son and successor appeared to throw the weight of the Establishment towards favour to the Romanists and reconciliation with Rome the storm was to break quickly and with devastating force. In the struggle to save Protestantism in England the moderates were crushed and the militant and highly intolerant Puritan party became, for the time being, the leader of Protestant thought and action.

By 1625 English religious thought was systematizing itself and the Anglican and Puritan camps were becoming more sharply divided and closely knit. The temper of Puritanism had grown sterner under James, and especially so during the closing decade of his reign. Men were beginning to regard it as the safest bulwark of Protestantism. Abroad they saw the circle of Protestantism being steadily narrowed by the militant activities of the Counter-Reformation and the disasters of the Thirty Years' War. The Puritans had been outraged by the refusal of the Government actively to assist the Protestants abroad, who were regarded as defending the last stronghold against the forces of Rome. These men felt sure that if Protestantism collapsed in Germany, England would soon face the

¹ *Addit. MSS.*, 35832, 80.

² Birch, Thomas, *The Court and Times of James I*, etc., II, 332.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

same trial of faith. It was therefore inevitable that the system of compromise by which the Tudors had held England together became more and more distasteful to the Puritans. "To one who looked on himself as a soldier of God and as a soldier who was fighting a losing battle, the struggle with the Papacy was no matter for compromise. It was a struggle between light and darkness, between life and death. No innovation in faith or worship was of small account if it tended in the direction of Rome. The peril in fact was too great to admit of tolerance or moderation."¹ With the accession of Charles I the long-delayed religious crisis was at hand.

B. POLICY TOWARDS ROMAN CATHOLIC NONCONFORMITY, 1603-1625

I. THE GOVERNMENT EMBRACES A POLICY OF TOLERATION TOWARDS THE "SPIRITUAL GROUP," 1603-1605

The policy of the Government towards a militant dissenting group can perhaps best be studied by a full examination of the efforts of James to find a solution to the Roman Catholic problem. For it was in this area that the question of toleration had to be squarely faced.

During the closing years of Elizabeth's reign important developments in the Roman Catholic policy of the Government had taken place.² A deliberate effort had been made, under the leadership of the Council and Bancroft, Bishop of London, to drive a wedge between the loyal Catholics who were devoted only to the spiritual attributes of their faith and the militant party led by the Jesuits which aimed at nothing less than the overthrow of the Establishment and the reconversion of England. Bancroft had gained the confidence of the leaders of the spiritual group and every effort had been made to widen the breach between that group and the political party. At the same time, the Government was anxious to find some formula

¹ Green, J. R., *History of the English People* (University ed., Sully and Kleinteich, N.Y.), IV, 100-101.

² Vide Jordan, W. K., *The Development of Religious Toleration in England from the beginning of the English Reformation to the death of Queen Elizabeth* (henceforth referred to as Jordan, *Religious Toleration*, I), 194-211.

with which to distinguish the loyal from the disloyal Catholics. The spiritual group was encouraged to appeal to Rome for official recognition of their position,¹ and when the proposal of these appellants was rejected on November 5, 1602, the Government ordered all Jesuits out of the realm within twenty days, and the appellants were warned to leave by February 1, 1603. At the same time, however, a proclamation was issued which announced that all priests who would submit to the Queen and acknowledge their loyalty to the Government might expect mercy and some degree of favour.² The spiritual group, under the leadership of Watson and Bagshaw, immediately proposed a new organization of secular priests and the working out of an Oath of Allegiance which would comply with the Government's requirements. Bancroft seems to have been privy to these discussions, and in late 1602, or early 1603, a formula was produced which did not, however, meet with the bishop's full approval.³ None the less, it seemed that the Government was making rapid strides towards the solution of the Catholic problem. The spiritual authority of the Pope was admitted in the proposed Oath—a concession which the Government could logically make upon the basis of the steadily announced contention that it was not concerned with the spiritual views of its Catholic subjects. It was clearly stated that the Pope exceeded his spiritual authority when he excommunicated a prince and attempted to force the deposition of a ruler. In this event the subscriber bound himself to support the Government rather than the Church.

The Government's objections to the Oath, as then proposed, were by no means insuperable. It was suggested that the meaning of certain portions was too ambiguous; that only the appellant group, which was the most loyal of the spiritual party, had attempted to find a satisfactory formula; and that only a minority even of this group was willing to subscribe. At this stage the proceedings were interrupted by the accession of the new sovereign, who was soon to carry forward these

¹ Jordan, *Religious Toleration*, I, 204 ff.

² *Ibid.*, I, 209.

³ Vide Usher, R. G., *The Reconstruction of the English Church*, II, 312-315, for the texts of the formulae submitted in these months.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

negotiations and, on the basis of the secular formula, to issue an Oath of Allegiance designed to distinguish between the loyal and the disloyal groups. There are many reasons for believing that the Machiavellian Elizabethan government had no real intention of making the slightest concession even to the spiritual group of Catholics, and that Bancroft had been encouraged by the Council to push forward these negotiations in order further to alienate the secular priests from the Jesuit party. But there was no such doubt of the new monarch's devotion to the principle of moderation, or of his desire to improve the lot of his Roman Catholic subjects.

Even before his accession to the throne James had made commitments which caused the Catholics to welcome him with great enthusiasm. In the closing years of Elizabeth's reign he had entertained some doubts about securing the throne of England and had surrounded himself with Catholic advisers who had urged him to gain the papal support by promises of liberty of conscience for his Romanist subjects in the event of his succession.¹ The Pope at the moment was Clement VII, whose absolution of Henry IV indicated that he was no zealot, and James agreed to enter into indirect negotiations. A Scottish Catholic named Drummond was sent to seek the support of the Catholic states of Italy and to press the case of the King with the Pope. Drummond seems to have exceeded his authority;² he stated in the strongest terms James's intention of tolerating his Catholic subjects. The Pope called upon the Scottish king to embrace the ancient faith and James countered by offering to abide by the decision of a General Council called to attempt the healing of the divisions of Christendom. Clement indicated that such a solution was out of the question and thenceforward the negotiations became completely confused.³

Elizabeth learned of these negotiations and demanded an explanation. James flatly denied any knowledge of them, but at the same time wrote Cecil that he was unwilling that any

¹ Grey to Salisbury, October 3, 1608, *Hatfield MSS.*, cxxvi, 59.

² Gardiner, *History of England*, I, 81.

³ Ranke, L. v., *A History of England principally in the Seventeenth Century*, I, 376.

man's life should be taken for a religious cause. He was aware, however, of the dangers inherent in Catholicism and he did not propose to permit the Romanists to carry on missionary effort which would in time endanger the existence of Protestantism in England. He applauded the recent action of the Government in banishing all priests from England and declared his hope that the spread of the Catholic faith could be checked without further persecution.¹

The existing divisions in the Catholic ranks in England were further accentuated by James's manœuvres. The political party under Jesuit leadership denounced the King's statements as a trap and a fraud, while the spiritual group applauded his position and expressed its willingness to lend complete obedience if some religious concessions could be made.² The King openly entertained members of this party at his court and declared his intention of lightening their burdens once he was firmly entrenched in England. At the close of 1602, he had written to Northumberland, who was closely connected with several of the Catholic leaders: "I will neither persecute any that will be quiet and give but an outward obedience to the law, neither will I spare to advance any of them that will by good service worthily deserve it."³

The fact is that James completely overestimated the difficulties which he would encounter in securing the succession and in his desperate attempt to win support from all parties in England he had promised, or had appeared to promise, far more than he was really prepared to concede, and certainly far more than England would permit him to concede. That strange intellectual dishonesty which marked all of the Stuarts had already made its appearance. For upon his accession he was heard to say, "Na, na, we'll not need the papists now," though at the same time he declared that he would not make merchandise of conscience, nor set a price upon any man's faith.⁴

The position of the English Catholics before the law was

¹ *The Correspondence of King James VI. of Scotland with Sir Robert Cecil and others in England, during the Reign of Queen Elizabeth*, 36.

² Ranke, *History of England*, I, 376.

³ Quoted by Gardiner, *History of England*, I, 100.

⁴ *Idem.*

indeed grievous, and James's clement nature must have rebelled at the pains under which a large minority of his subjects lay. The public exercise of their faith was strictly forbidden, and the law prohibiting the celebration of the mass made both the officiating priests and the communicants subject to the law of treason. If the Government did not choose to prosecute under this charge, the ecclesiastical courts were empowered to excommunicate the defendants for recusancy, after which the civil courts could imprison the recusant until he was prepared to conform. The laws were rarely enforced severely, and were regarded by the Government as a restraining instrument upon Catholic aggression, but the ever present threat of enforcement had reduced the Catholics to a miserable and desperate group.

The Catholics were likewise subject to ruinous pecuniary pains. Rich Catholics were liable to a fine of £20 per month for recusancy, while the less well situated property owners were liable to the confiscation of two-thirds of their estates. If the recusant had no land, his personal effects could be seized by the Crown. As we shall point out later, the extent and severity of the enforcement of these financial penalties has been greatly exaggerated, but they remained a threat which might at any time lead to the dispossession of all Catholics in England.

The Elizabethan policy of moderate repression had been remarkably successful and the Catholics were by the close of her reign a dwindling minority.¹ During much of her reign they had constituted a real menace to the public peace and the security of the Church. But by 1600 they were so powerless in fact that they could do no more than assert a moral claim to the right of toleration. It was to be many years before

¹ Meyer, A. O., *Der Toleranzgedanke im England der Stuarts*, *Historische Zeitschrift*, CVIII, 256-257. In the *Harl. MSS.* there is an interesting return which estimated the strength of the Catholics in 1603. It was estimated that there were then 9,254 parishes in England with communicants to the number of 2,265,328. There were believed to be 8,590 known recusants in the realm, of which number 2,442 were reported to reside in the diocese of Chester. (*Harl. MSS.*, 280, 29, 157.) This report evidently greatly underestimated Catholic strength. The whole subject is so obscure and so entangled in controversy that one estimate is about as good as another.

England realized that it had little to fear from the political pretensions of the Catholic leaders, and so long as fear, however unjustified, remained, the Catholics were doomed to pay the penalty for the earlier excesses of their leaders.

With the opening of the new reign the Roman Catholics found themselves in a far better position than they had ever enjoyed under the great Queen. Far more liberty was allowed the Catholic justices and magnates in Catholic districts in the protection of their co-religionists.¹ The chapels of the Catholic embassies were thrown open and in some sections sermons were delivered in the open air to which the faithful flocked by the thousands. The new queen, it was observed, absented herself from divine services in the national Church and she was known to be in communication with the papal nuncio. Roman Catholic exiles began to flow back into the country, sure that freedom of worship was soon to be granted. It was reported from Dieppe in May 1603 that "many . . . both Jesuits and priests" had passed through Calais on the way to England.² In July, Wright, who had recently been banished, returned to London with the prediction that "it will come to pass that we in England shall have a toleration as the Hugonites have in France."³

A number of petitions pleading for liberty of conscience and asserting the loyalty of the Catholics were entertained by the Council during the first months of the reign.⁴ Thus one group of ten Catholics demanded liberty of conscience, while reminding James of the faithful devotion of his mother to the ancient faith.⁵ The Council could not approve of this tone and the appellants were ordered out of the realm. Giovanni Caelo Scaramelli, the Venetian secretary in London, wrote to his Government in July that M. Rosny, the French ambassador, had recommended the English Catholics to the royal favour before his departure for France. James had given the ambassador

¹ Ranke, L. v., *History of England*, I, 495.

² *Historical Manuscripts Commission, Calendar of the Manuscripts of . . . the Marquess of Salisbury . . . preserved at Hatfield*, xv, 98.

³ *Ibid.*, xv, 216.

⁴ The petitions making a significant contribution to English Catholic thought will be considered later. *Vide post*, 505 ff.

⁵ *Cavalli (Paris) to Doge and Senate*, May 25, 1603, *V.P.*, x, 38.

assurances that he would never burn a Catholic, and his tone had been kindly and moderate.¹ A fortnight later the Venetian wrote that James, though a firm Protestant, seemed indifferent to the question of religion and that the Catholics would have nothing to fear were it not for the implacable hostility of the people of England to any concessions to the Catholics.²

James was endeavouring to proceed with caution and was apprehensive concerning the English reaction directly his policy became generally understood. None the less, he informed Sir Thomas Parry, his ambassador to France, that, though he was staunchly Protestant, he proposed to govern so that neither the Pope nor any other power abroad would "have reason to mislike the course of our government."³ James declared that "in the religion we profess we found so much comfort and peace of conscience, as we could never change but by the growth of better reason, yet should our constancy to that religion beget no such severity toward those who are otherwise persuaded, but that they might enjoy under us the same fruits of justice, comfort, and safety, which others of our people do, till we shall find that disloyalty is covered with the mask of conscience."⁴

Meanwhile, in the summer of 1603, the insane Watson plots

¹ *Scaramelli to Doge and Senate*, July 10, 1603, *V.P.*, x, 62-63. Scaramelli also threw interesting light on the King's earlier negotiations with the Catholics. The Venetian wrote: "I must inform your serenity that Robert Crichton, baron Sanquhar, . . . who is intimate with the king, and still more with the queen as being a Catholic, told me in the strictest confidence that he himself had an interview with the pope at Ferrara [*vide* Gardiner, I, 80-81], and had promised in the king's name that if he succeeded to the throne of England he would permit liberty of conscience, and would restore to their country and their possessions all who had been persecuted for being Catholics, but that he would not go a step further for two reasons, the second of which is, perhaps, the more weighty, first because he would never, in the interests of peace, permit two religions in his kingdoms, and second because he would never admit allegiance to the pope in the free kingdoms to which he had succeeded." (*Ibid.*, x, 63.)

² *Scaramelli to Doge and Senate*, July 23, 1603, *V.P.*, x, 68; and *vide ibid.*, x, 87 (August 27, 1603). "On his return to Rome James Lindsay, another Scot, is to inform the pope verbally, in the king's name as from prince to prince, that his majesty cannot concede liberty of conscience in his kingdoms, for fear of tumults."

³ *James I to Sir Thomas Parry, H.M.C., Salisbury Papers* (1603), xv, 300.

⁴ *Ibid.*, xv, 302.

⁵ *Vide* Gardiner, *History of England*, I, 108 ff., for particulars.

had easily been exposed by the skilled secret service which James had inherited from Elizabeth and the betrayal of the conspirators by influential Jesuits who were inspired both by hatred of the seculars and by the belief that James really intended substantial concessions to the Catholics. James was much impressed with the loyalty which the Catholics had displayed and his determination to allay to some degree the lot of his Romanist subjects grew apace during the summer. In June he informed M. Rosny that he intended to remit the recusancy fines.¹ In the following month he received in Council a deputation of leading Roman Catholics headed by Sir Thomas Tresham and replied charitably to their plea for a more moderate policy. James assured Tresham that so long as his Roman Catholic subjects obeyed the law, they would not be ruined by fines and that they would be admitted to the services of the State.

In August James was informed by the papal nuncio in Flanders that the Pope would denounce any seditious actions on the part of English Catholics even to the extent of excommunicating turbulent persons. At the same time another delegation of Catholics received the royal assurance that the existing moderate policy was to be continued.² There can be no doubt that James was sincere at this time in his determination to extend toleration to the Catholic laity. He was prepared to tolerate all Catholics who were willing to be loyal to the State as well as to their religion.³ He was actuated at once by a genuine inclination towards toleration and by reasons of policy. He hoped to heal the widening gulf of religious differences by a policy of fatherly moderation, and in addition to remove all excuse for seditious plots which might endanger the throne.

a. The Weight of Public Opinion Hostile to a Moderate Roman Catholic Policy

But the royal clemency had already outrun English sentiment. The King's policy found no support in England. Already

¹ *Vide* Gardiner, *History of England*, I, 115.

² *A Petition Apologeticall, presented to the kinges most excellent maiesty, by the Lay Catholikes of England, in July last [1603]*, 27.

³ Mackinnon, James, *A History of Modern Liberty*, III, 25.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Protestant stalwarts were writing indignant protests to Cecil. The moderate policy of the past few months had led to excessive clerical zeal on the part of the Catholic priests, and the recusancy returns showed a sharp increase in numbers, though the total was still negligible.¹ Lord Sheffield wrote that so long as the recusancy laws were enforced the infection of Romanism was dormant. But since the Catholics have been given liberty they have grown bold and insolent. In his own region they have been very active in circulating a petition asking for toleration; and Romanism is being kept alive by the hope that some day it may be granted.² Such a toleration would be very dangerous indeed, "and in policy I cannot see how there should arrive any safety to your majesty by either alteration or toleration of religion."³ Middle class feeling on the subject was even stronger, if the letter of one Ralph Fetherstonhalgh to Henry Sanderson (November 12, 1603) may be taken as typical. The writer roundly denounced the current leniency: "It is hardly credible in what jollity they now live; never in the like since I had discretion to make observation of the behaviour of men." The King has openly favoured the Papists and they now hope not only for a toleration but for an alteration of religion. He declared that many who had formerly been regarded as Anglicans were now open recusants.⁴

The Roman Catholics demanded a public toleration which could be granted only by Parliament, and neither James nor the Council had the courage to champion such a policy before that body, particularly since public opinion was already inflamed.⁵ It was repeatedly pointed out to James that since he had taken such a pronounced stand against the Puritans, he could hardly dare appear before the nation as the champion of Catholic liberties. Such a policy, in truth, might well have wrecked the monarchy.

¹ Thus in Durham it was reported as early as August 1603 that 196 persons had gone over to Rome (*S.P. Dom.*, *James I*, iii, 42). In 1615 this increase was reported as still in progress (*ibid.*, lxxx, 117). In Lancaster, however, it seems that the Elizabethan policy had borne fruit. The Catholic party there was negligible in 1604 (*S.P. Dom.*, *James I*, x, 62, and xlvi, 25) and declined throughout the period.

² *H.M.C. (Salisbury Papers)*, xv, 278 (November 1603).

³ *Ibid.*, xv, 278-279.

⁵ Ranke, L. v., *History of England*, I, 406.

⁴ *Ibid.*, xv, 283.

James's early enthusiasm was already being cooled by these influences. Then too, during 1603, he was not happy with the results of his initial clemency. He was vexed by the pro-Catholic leanings of his queen and alarmed at the great increase in missionary activity. Late in the year he was informed that no fewer than 140 priests had entered England during the year. Parliament had been summoned to meet in March 1604 and James was easily persuaded a month before its convention to issue a proclamation ordering all priests to abjure the realm.¹ The proclamation reassured the Roman Catholic laity by pointing out that the order was deemed necessary because of the danger of conspiracies amongst men who acknowledged only the authority of the Pope. James avowed respect for the Pope but declared that his claim to dispose of kingdoms and to dissolve the allegiance of subjects should be renounced in a General Council. He had no intention of abandoning his toleration of the Catholic laity, and declared that he would forgo compulsion so long as it were possible. This statement placed James upon far more tolerant ground than his predecessor had assumed in her most clement moods and, indeed, considerably in advance of the sentiments of the age. It remained to be seen whether James could hold his position despite the weight of public opinion.

When Parliament assembled, James, in the speech from the throne, spoke at some length on the Catholic problem. His tone was tolerant and reasonable. He disavowed any intention of persecuting the recusants and criticized the harsh enforcement of the recusancy laws. The Government could not tolerate the Roman Catholic clergy because of its political pretensions, but it was hoped that the lot of the laity might be lightened by parliamentary action in this session.

This portion of the speech was not favourably received. It alarmed the staunchly Protestant Parliament which looked with horror upon an avowed policy of clemency at a time when there was a visible increase in recusancy. The Puritan members complained of the ill-treatment of men of unquestioned piety when it was the proposal of the Government to ease the burdens of the Romanists. The Venetian ambassador,

¹ Dated February 22, 1604.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Nicolo Molin, wrote a few days later that though the King had returned no direct answer to the numerous lay pleas for toleration, "the tone of his speech at the opening of Parliament showed a disposition very favourable to the Catholics, and it is a fact that, in spite of the proclamation, very few priests have left the kingdom, and no great diligence is used towards their expulsion; nay, even those who are actually in prison and could easily be expelled have not been moved yet; and the Catholics begin to entertain lively hopes."¹

But the Catholics had not yet learned that James's words were braver than his deeds. The King was alarmed both by the parliamentary uproar and by the increase in Catholic missionary activity. On May 17, 1604, he put the matter into the hands of Parliament by calling for suitable legislation.² Within a few weeks the Lords began discussion of the matter, and a bill was introduced which confirmed all of the existing Catholic legislation, and which tightened the laws in several particulars. In the Lords only the Catholic Montagu arose to denounce the proposal. He argued stoutly that his religion had been the ancient faith of England and that the nation was being misled.³ He denounced the bill as adding a further tyranny to the lot of those who remained true to the old faith. The House instantly slipped from debate on the bill to a consideration of how to punish Montagu. The calmness of Cecil and his cool reasoning were probably alone responsible for saving the Catholic peer from severe punishment. The minister argued that "the best and fittest punishment would be, to let him pass unregarded and unpunished. Because he supposed that the Lord Montague did affect a glory in it; and would be glad to get the more reputation amongst the papists, both at home and abroad, if he should be censured or punished in any sort for their cause."⁴

The proposed legislation was promptly passed by Parliament,⁵ and, despite the renewed pleas of the Catholic party,⁶

¹ *Molin to Doge and Senate*, April 7, 1604 (London), *V.P.*, x, 141.

² *C.J.*, I, 214.

³ Cobbett, William, *The Parliamentary History of England*, I, 1043.

⁴ *Idem*. Montagu was committed to the Fleet on June 26th and, upon apologizing, was released four days later.

⁵ *I Jac.* I, c. 4.

64

⁶ Frere, *English Church*, 310-311.

the King accepted the bill. Then, with characteristic indecision, James suspended the operation of the law and remitted the recusancy fines for the sixteen Catholics who were liable to its payment.¹ But the Bench was not quite as nimble in policy as the King. Some of the judges undertook to enforce the laws; at Salisbury a seminary priest was executed, and, at the same time, a layman suffered the death penalty for having aided him in his missionary activities. In the same burst of enforcement two priests were executed at Warwick, and two or three laymen were executed at York and Ripon.² There is every reason for believing that these executions were ordered without the knowledge of the King, and in the following year he gave explicit orders to avoid bloodshed. Meanwhile the King pushed forward with his announced policy of expelling the priests, curbing missionary activity, and allowing a much larger liberty to the laity. On September 5, 1604, a commission was appointed to execute the proclamation calling for the banishment of all priests, and a few days later the Council accepted James's express wish that the execution of the laws against the laity should be suspended. It was likewise agreed to resume the collection of the recusancy fines from thirteen wealthy Catholic magnates, but no step was taken to enforce the pecuniary laws against the mass of the laity.

As Gardiner has well pointed out, however, James's moderate intentions were undone at every stage. The unfortunate Lindsay mission to Rome resulted in the spread of baseless but damaging rumours that the King was ripe for reconversion and that there was a chance at least that England might be won back to the fold.³ These reports had an immediate and

¹ The fines had not been collected since his accession (Gardiner, I, 203-204).

² We have followed Law's calendar of executions without independent investigation in this highly controversial field. He lists:

- 1604—Lawrence Baily, Lancashire.
- 1604—John Sugar (sec.), Warwick.
- 1604—Robert Grissold (sec.), Warwick.
- 1605—John Fulthering (lay), York.
- 1605—W. Brown (lay), Ripon.
- 1605—Thomas Welbourne (lay), York.

Vide Law, T. G., A Calendar of the English . . . Martyrs of the Sixteenth and Seventeenth Centuries.

³ *Molin to Doge and Senate, V.P., x, 227.*

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

unfortunate effect in England. The King's harsh measures and harsher words against the Puritans had already caused many stern Protestants to suspect him of leanings towards Rome, and these rumours appeared to be a timely warning of danger. Cranborne was evidently thus impressed when he wrote to Hutton (December 1604), "I love not to yield to any toleration; a matter which I well know no creature living dare propound to our religious sovereign." But, he declared, "I will be much less than I am or rather nothing at all, before I shall ever become an instrument of such a miserable change."¹ The King's convictions on the rightfulness of toleration for his peaceable subjects were not deeply enough grounded or fully enough a part of his policy to withstand the pressure of dominant Anglican opinion.

2. THE RE-DEFINITION OF GOVERNMENTAL POLICY: MODERATION TOWARDS THE "SPIRITUAL GROUP"; EXTIRPATION OF MISSIONARY ACTIVITY AND DISLOYALTY, 1605-1609

Accordingly, in February the King succumbed and "charged the Lords of the Council and the Bishops present that they should take care themselves, and give order to the judges of the land, to the justices and other inferior offices, to see the laws speedily executed with all rigour" against the Puritans and Catholics alike.² James was clearly trying to vindicate himself from the suspicion which a tolerant policy aroused in an age of intolerance. On February 13, 1605, the chancellor ordered the enforcement of the penal laws and within a short time 5,560 persons were convicted of recusancy. Of this number, however, not more than 112 paid the full penalty of two-thirds of their lands, the rest having bribed the commissioners or compounded with the King for a smaller sum.³

a. *Cecil's Masterly Analysis of the Problem*

The enforcement, particularly in its financial aspect, was

¹ Quoted in Gardiner, *History of England*, I, 226.

² *Ibid.*, I, 227.

³ *Ibid.*, I, 228. Gardiner presents other interesting data. The rents from leases of sequestered lands rose from £1,132 (1604) to £4,397 (1606). But the proceeds from the sale of goods and chattels of poor Catholics did not exceed £368 in 1605 or £472 in 1606 (I, 228-229).

not really harsh, but the Catholics had seen their hopes, which had been deliberately cultivated, dashed to pieces at the first indication of opposition. Their agitation was naturally profound, for in a sense the vacillation of James must have been worse than the predictable evenness of the sterner Elizabethan policy. This uncertainty led Molin to ask Cecil for an explanation of the English policy. Cecil gave him the fullest and clearest account of the official position that has been preserved. He held that "the king's excessive clemency has ended in this, that priests go openly about the country, the city, and private houses saying mass, and this gives great offence to the others. Then there is the news from Rome that the pope has appointed a congregation of cardinals to deal with the affairs of England. This has led many to think that the king is about to grant freedom of conscience and has caused an uproar among the bishops and other clergy." The Government has consequently found it necessary to check the licence of the Roman Catholic missionaries and "to assure ours [i.e., Anglican priests] that there is not the smallest intention to make any change in the religion of the country."¹ Cecil dwelt at length, too, on the harm which had been done by the ill-starred Lindsay mission.²

Molin protested that despite these provocations and the admitted political necessities, he could not believe that the King would break his word, which had been given so often, and embark upon a policy of persecution. Cecil replied, "As far as blood goes rest assured, provided the Catholics keep quiet; but as regards property the laws must be enforced; though even here we shall go dexterously to work and far more gently than in the days of the late Queen."³

He then outlined a plan whereby the Catholics would be permitted to compound for their property at a moderate price and indicated that "this device has been adopted so as not to crush the Catholics utterly on the one hand, nor yet to inspire a belief in the Protestants that the Catholic religion was going to be tolerated."⁴ To Molin's protestation that there was little that separated the seizure of property because of religious belief from persecution, Cecil replied that it could not be avoided

¹ *Molin to Doge and Senate, March 7, 1605, V.P., x, 227.*

² *Ibid., x, 227-228.*

³ *Ibid., x, 229.*

⁴ *Ibid., x, 229.*

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

in England. He stated bluntly that "there are laws and they must be observed, and there is no doubt but that the object of these laws is to extinguish the Catholic religion in this kingdom; for we hold it undesirable in a well-governed monarchy to allow the increase of persons who profess obedience to the will of a foreign sovereign as the Catholics do."¹ The Government proposed to root out all disloyalty even though it should assume a religious garb. Cecil reminded Molin that Venice herself had had bitter experience with the papal claim to the power of absolving subjects from their due allegiance. The Pope claimed and exercised this right whenever it pleased him, though always on the plea of religious need. If the Pope would renounce this power and confine his superiority wholly to spiritual matters, "I assure you that the next day the king would concede liberty of conscience and permit the exercise of the Catholic religion, but on no other terms can it be thought of."²

Cecil's analysis of the Catholic problem would indicate that a considerable step had been taken in the direction of toleration since the days of Elizabeth. The Government was willing to tolerate the Roman worship once it was sure that the Catholic party had disavowed all intentions of seeking to establish itself as the dominant group in England. No political pretensions would be permitted; no missionary activity allowed. The Government was willing to permit the existing Catholic communion to continue and to allow it the ministrations of faith, but the responsibility for the required assurances of loyalty rested upon the Roman Church. Until such assurances were forthcoming the penal laws must be at least partially enforced and must remain at hand to be used to extinguish the party completely if national security so demanded.

Shortly afterwards Molin gave evidence that the Government was sincerely devoted to these principles. The Catholics live quietly in England "because they are supported by no foreign sovereign, and because the pope has forbidden them, under pain of excommunication, to conspire or in any way to take part in any action hostile to their sovereign or his king-

¹ *Molin to Doge and Senate, March 2, 1605, V.P., x, 230.*

² *Ibid., x, 230-231.*

dom.”¹ The Venetian was disturbed, however, at the thought that the new Pope might not be as wise and reasonable as Clement VIII had been.² If this should be the case—if the new Pope should “prove hostile, fulminate his excommunication, give liberty to, nay incite, the Catholics to conspiracy and revolution”—the Catholics would find themselves in the gravest danger.³ For the Catholics exist on sufferance and lie under severe laws, and “although these laws have been administered with gentleness up to the present, still they begin now to use rigour and severity against recusants.”⁴

b. Hostility of English Opinion

The pressure upon James by the dominant Anglican group to secure an adequate enforcement of the laws was heavy and incessant. The views of this group were perhaps voiced by Sir Henry Neville, who in a letter to Winwood expressed concern lest the King should find some means for letting the Catholics off too lightly. Neville regarded the Romanists as irrevocably against the Church and State, and as dangerous to both institutions. “And howsoever they pretend now to seek only impunity, yet that obtained, assuredly they will not rest there, till they have obtained a further liberty; therefore if we mean not to grant all,” we should deny all and bring the problem to a final issue at once.⁵

The King was becoming perplexed and uncertain. When the gaol delivery came in the spring of 1605 the judges found many Catholics in prison and amongst them two persons under death sentence. They had been rebuked not long since for their literal interpretation of the law and this time the justices demanded instructions from Cecil. The King admitted frankly that he did not know what to do. For “he had declared publicly . . . that for questions of conscience he would never touch the property or life of any man; but the great pressure brought to bear upon

¹ *Molin to Doge and Senate*, April 14, 1605, *V.P.*, x, 235.

² Clement had died a month earlier. Leo XI was elected as his successor, but died within a few weeks, and was succeeded by Paul V (Camillo Borghese), 1605-1621.

³ *V.P.*, x, 235.

⁴ *Molin to Doge and Senate*, April 14, 1605, *V.P.*, x, 236.

⁵ *Neville to Winwood*, June 1605, *Winwood Memorials* (1725), II, 78.

him by some of his councillors had forced him against his will and his word to allow the laws regarding the property of recusants to be put in force; now, however, that they desired to carry out the capital sentences he could not give his consent; and as regards the property he was determined that not a penny of the money should come into his pockets; . . .”¹ Molin felt that if the King were free to follow his own policy the Catholics would have no cause to fear. But the Council, and, he might have added, all the influential elements of public opinion, were “bitterly opposed to the Catholics” and the prospects for a moderate policy were poor indeed.

Dominant opinion prevailed, and the order for the execution of the laws brought to an end the first serious attempt on the part of the English Government to undertake a policy of toleration. This programme had collapsed partly as a consequence of the King’s lack of firmness but more largely because of the real difficulties and dangers involved.

Most important, it was impossible for the Government to undertake a programme of repression of the strong Puritan party while openly tolerating and favouring the hated and feared Catholic minority. Such a policy would have been reckless in the extreme and would have raised passions which might well have cost James his throne. And James hated the Puritans more than he loved the Catholics.

Then, too, in his attempt to treat the Catholics moderately, James fell into conflict with the most deeply seated prejudice in seventeenth-century English thought. For England still feared the Catholics, and when fear is present amongst the dominant groups any toleration of a minority is impossible. And there remained some basis for that fear. The Catholics were still a powerful sect, numbering amongst their adherents a disproportionate share of the wealth and influence of England. The laity were probably content to accept the compromise at which Cecil had hinted but, as in the reign of Elizabeth, the priests were far more interested in spreading the faith than in securing safety for their co-religionists. They had evidenced this during the brief period of clemency and, in the opinion of sane observers, with alarming success. The missionary group,

¹ *Molin to Doge and Senate, June 1, 1605, V.P., x, 243.*

led by the Jesuits, admittedly aimed at the overthrow of the existing order, and no Government can long permit such a programme to go unchallenged. The aims of the political group of Catholics, however noble and lofty they may have been, happened to run counter to those of the great mass of Englishmen. The Government was obliged to meet their programme with rigorous measures, which in their nature involved the repression of religious liberty, because religious belief in this instance likewise involved sedition.¹

As Gardiner has so well analyzed the situation, "neither freedom of thought nor political liberty had as yet reached their perfect development in England, but it was beyond doubt that the victory of the papacy would extinguish both. Even the received maxims of the nineteenth century would hardly be proof against a demand for toleration put forward by a community which itself refused toleration to all those principles on which our society is based, if it had any chance of acquiring sufficient strength to employ against others that persecution which in its own case it deprecated."² Toleration is never possible so long as the dominant groups feel insecure or fear the pretensions of a minority group. So far as the Government was concerned, there appears to have been but little tendency to place the persecution of the Catholics upon spiritual grounds; it feared rather the political consequences which lay thinly veiled under the religious convictions of the zealous Catholics.

England had not yet forgotten the reign of Mary or the plots against Elizabeth. It saw abroad a shattered Protestant front giving ground rapidly before the full tide of the Catholic reaction. England must in her turn bear the brunt of the Catholic assault and it would be a hideous error to face this threat with her defences levelled in advance. Her strongest bulwark lay in the Church of England, and devotion to England, quite as much as devotion to Christ, served to make men zealous Anglicans. England's greatest problem remained the necessity of broadening the basis of that Church so as to accommodate Protestant dissent. As we have seen, James's most telling blunder had been the failure to appreciate the

¹ McIlwain, C. H., *Political Works of James I*, Int., xxxi.

² Gardiner, *History of England*, I, 231.

urgent necessity of this enlargement. And when, later, a minority group which appeared to lean too far in the direction of Rome prostituted the Church of England to their own ends and thereby destroyed the catholicity of the Church, Englishmen deserted her to man the last and strongest of the defences reared against Rome—Puritanism.

Roman Catholic toleration had of necessity to wait upon the solution of the problem of Protestant dissent. England could solve that problem only by embracing dissent in a more comprehensive ecclesiastical structure, or by allowing the sects toleration and binding them to the Church in a close-knit alliance against the threatened inroads of Catholicism. Either of these solutions would have given English Protestantism strength and security and in this atmosphere the claims of the Catholics could have received more charitable consideration.

c. James's Policy Weakened by the Hysteria Following the Gunpowder Plot

The dangers which seemed to be involved in a policy of toleration for the Romanists were dramatically sustained by the Gunpowder Plot and the views of the dominant groups were vindicated to the complete satisfaction of seventeenth-century England. We are not concerned with the details of the plot or with the particular punishments which followed it. We shall examine rather the general legislation and the tightening of repression which ensued as a consequence of the mad actions of a few fanatical Catholics.

When we recall the wave of hysteria which engulfed England after the plot was disclosed, it is remarkable that Parliament remained as calm as it did. In Parliament every member was ordered to stand in his place and to suggest those measures which would in his opinion be most effective against the Catholics.¹ A number of barbarous suggestions was naturally the fruit of this competition in orthodoxy, and for a time it seemed as if a wholesale persecution would be undertaken. For it was the convinced English opinion that the plot was only the beginning of a bloody attempt to overthrow the existing order.

¹ Lingard, John, *The History of England* (5th ed., 1849), VII, 86.

Thus Coke wrote that some were of the conviction that if the Catholics had not been allowed a toleration "no such bloudie stratagem should by any of them have bene practised." But the Catholics do not want toleration. They aim at the King's overthrow unless he will "conforme himselfe and all his subiects to the religion of the Roman Church; it is not then a toleration only which they seeke, nor could they have bene contented therewith. . . ."¹

Despite the violence of the initial reaction,² however, only two penal acts were passed by this session of Parliament.³ By the first act the Catholics were compelled not only to attend the Established services but to partake of the communion.⁴ The Lords had disliked the exercise of compulsion in this purely spiritual matter, and had sought to place jurisdiction in ecclesiastical hands, but the Puritan majority in the Commons would not relent. For the first time, therefore, the dreaded sacramental test was made part of the machinery for enforcing conformity, and this action could be regarded only as sheer spiritual tyranny.⁵

By the second act (May 27, 1606), additional rewards were offered to informers and several new disabilities were laid upon the recusants. They were banished from court, were forbidden to remain in London unless their permanent residence was there, were to confine themselves to one place of residence,⁶

¹ Coke, Sir Edward, *Lord Coke His Speech and Charge* (1607), 20.

² Henry IV was greatly alarmed by the danger of extreme measures and interceded for the English Catholics through his ambassador, Boderie. He submitted that his own experiences had proved the strong hold which religion has over men and that it becomes stronger directly violence is employed to extinguish it. "Persecution exalts the mind above itself, teaches it to glory in suffering, and renders it capable of every sacrifice in the cause of conscience." Nothing can be gained against religious conviction by the use of severity. (April 5, 1606, quoted by Lingard, VII, 87.) James replied that he was no friend to severity, but that the Roman Catholics had been infected with Jesuit teachings and he had no choice but to leave the whole question to Parliament.

³ 3 Jac. I, cs. 3 and 4.

⁴ Frere, *English Church*, 329-330.

⁵ Churchwardens and constables were charged with reporting violations of the law. These officials were to be fined twenty shillings for neglecting to report instances of refusal to attend services or to take the communion. The effect of the measure was to wipe out the formal conformity which many good Catholics had practised.

⁶ Apparently a confirmation of 35 Eliz., c. 2.

were barred from public office, and their pecuniary disabilities were increased.¹

The King had been badly frightened and readily lent his assent to the parliamentary measures. His nervousness in this period is shown by Molin's report of an audience which he held with James in early January, 1606. The King broke out at once into a violent tirade against the Catholics. The Romanists, he said, threatened to dethrone him and destroy him unless he granted them liberty of conscience. He continued, "I shall, most certainly, be obliged to stain my hands with their blood, though sorely against my will. But they shall not think they can frighten me, for they shall taste the agony first."² He had been driven by the consequences of the papal doctrine of deposition to adopt severe measures against the Catholics.

d. The Oath of Allegiance (1606) and its Enforcement

The most important legislative consequence of the fear engendered by the Gunpowder Plot was the new Oath of Allegiance which was designed to distinguish between those Catholics who upheld the political pretensions of the papacy and those who were interested only in their faith and were willing to renounce the papal claims. Blackwell, as head of the spiritual group, had vigorously denounced the Plot and in his instructions to the priests and laity under his charge (November 28, 1605) had expressly forbidden participation in any such traitorous and murderous resistance to political authority.³ As the Government's agents probed deeper into the evidence it became apparent that the great body of the Catholics were neither implicated in the Plot nor favourably disposed towards it. The Government consequently determined to exterminate the political group of Catholics while undertaking, at the same time, a kindlier attitude towards those Catholics who were by

¹ Bancroft alone braved the wrath of Parliament by protesting against these measures and proposing that a trial period of four years of toleration should be recommended to the King. The Bishop of Worcester's rejoinder, "It was a pity they should be tolerated for seven days," expressed the opinion of Parliament. (*Diary of Walter Yonge, . . . 1604-1628* (Camden Soc., 1848), 6.) ² Molin to Doge and Senate, January 6, 1606, *V.P.*, x, 308.

³ *Vide* Tierney, M. A., *Dodd's Church History of England*, IV, cxii-cxiii.

the Government's own definition loyal citizens.¹ As we have noticed, negotiations for the finding of a formula which would satisfy the Government in this respect had been begun during the closing years of Elizabeth's reign under the guidance of Bancroft and with the connivance of the Government.² The bishop had continued these efforts to find an oath which would bind the subscribers to the Crown in all civil matters, while permitting the tacit acknowledgment of the spiritual supremacy of the Pope. In 1604 Bancroft had drawn up such an oath to be employed in the examination of priests,³ and in the following year this formula was revised and somewhat shortened.⁴

These exploratory efforts had been taken in consultation with the leading secular priests and there is evidence that they approved the final form of the Oath of Allegiance and expressed their willingness to subscribe and to urge the laity to follow their example.⁵ The Oath was designed to separate finally the two Catholic groups in England. "It looked to a partial translation into law of what Elizabeth's ministers had practiced by holding the law in abeyance. It must therefore be considered a considerable advance in principle, and one of the really important landmarks in the history of the idea of religious toleration."⁶ The Oath of Allegiance was the Government's reply to the militant missionary activity of the Jesuits. It was an honest effort to distinguish the loyal from the disloyal recusants and to lighten the burdens of the former group. It was designed to make sharp a distinction which was known to exist in fact but about which the Government had little satisfactory information.

It is difficult to see how any reasonable man could have refused to take the Oath on grounds of conscience.⁷ It exacted no more than any Government must exact of its subjects. If the Oath had been promulgated at a more auspicious moment, and if it had been accompanied by a marked relaxation of the penal laws against those who did subscribe, it might have gone far towards the settlement of a difficult and vexatious problem.

¹ Usher, *Reconstruction of the English Church*, II, 101-102.

² *Vide ante*, 54-56.

³ Usher, *Reconstruction of the English Church*, II, 317. ⁴ *Ibid.*, II, 320.

⁵ *Ibid.*, II, 109.

⁶ McIlwain, *Political Works of James I*, Int., xlxi.

⁷ Hallam, Henry, *Constitutional History of England* (N.Y., 1882), I, 398.

But this was not to be the case. Then too, many loyal Catholics had been taught to believe that the papal claim to the right of deposition was a matter of doctrine and accordingly refused to renounce it as an outworn theory when they would in fact never have supported it. The principal difficulty was that the Oath sought to limit the papal power, and many loyal, but devout, Catholics regarded this power as unlimited.¹ The most difficult portion of the Oath for a devout Catholic to accept was that which denounced the Pope's deposing power as impious and heretical, and it must be said that there would seem to be no reason why the Oath could not have been made quite as searching and revealing without the inclusion of these gratuitous insults.

The Government had for a decade been engaged in the difficult task of separating the spiritual and the political groups of Catholics, and the Oath of Allegiance marks the continuation, if not the culmination, of that policy.² That the Oath accomplished this purpose was shown by the long and bitter controversy over its legality and equity. Lingard has well said that the Oath "effectually broke the power of the Catholic body in England,"³ and it was a daring challenge to the aims and programme of the Counter-Reformation.

(1) *The Controversy over the Oath of Allegiance; the King's Literary Defence of the Government's Catholic Policy*

The condition of the Catholics, following the statute requiring the Oath of Allegiance, was not as desperate as the exceedingly rigorous legislation might lead us to expect. This legislation was the child of hysteria, and its provisions were at no time fully in effect. Indeed, it seems certain that the Government had no intention to enforce the new laws rigorously.⁴ But the laws did have the desirable effect, from the Government's point of view, of coercing wavering Catholics into taking the Oath, and it was at hand to crush recusants who

¹ Frere, *English Church*, 331.

² McIlwain, C. H., *Political Works of James I*, Int., lv.

³ Lingard, *History of England*, VII, 90.

⁴ James I, *Works* (1616 ed.), 292.

were clearly dangerous. The recusants were profoundly disquieted, and abusive tracts were written against Salisbury, who was accused of having engineered the Plot in order to force through stringent legislation. The Jesuits were particularly disturbed because they realized that a general acceptance of the Oath would spell the doom of their dream of converting England. Blackwell at first denounced the Oath, and then argued in its defence on the amazing grounds that it could safely be taken since it appeared unlikely that in the present instance the Pope had sufficient power actually to depose the King. It was therefore not unlawful to swear that the Pope could not do what he evidently could not do. His Jesuit opponents hastened to appeal the case to Rome, where the powerful Parsons was already bringing his influence to bear against the Oath.

The Government exerted every influence to widen the breach between the two Catholic camps in England. All possible publicity was given to the Archpriest's decision and on July 10, 1606, Salisbury showed that he was in earnest by causing a proclamation to be issued which ordered all Jesuits and seminary priests out of the realm within twenty days. At the same time, it was announced that subscription to the Oath would be regarded as evidence of loyalty and would exempt the subscriber from the rigours of the penal laws. The banishment of this group of priests was regarded as necessary "for no other purpose but to avoid the effusion of blood, and, by banishing them presently out of our dominions, to remove all cause of such severity as we shall otherwise be constrained to use toward the other sort of our people. . . ." The Government sought to make it clear that loyal Catholics would be humanely treated and that it would exercise "clemency and moderation of the severity of our laws" when this could reasonably be done. It was far from regarding all Romanists as disloyal and sought to "distinguish of such as be carried only by blind zeal, and such as sin out of presumption, . . ."¹

¹ Tierney, *Church History*, IV, cxxxv. In 1611 this policy was even more clearly asserted when the Government announced that it "never had any intention, in the form of the Oath, to press any point of conscience for matters of religion, but only to make some discovery of disloyal affections."

However, the Government's hope that some constructive and moderate policy could be evolved on the basis of the Oath of Allegiance was rudely dissipated when on September 22, 1606, Paul V condemned it without reserve as containing "many things obviously contrariant to faith and salvation."¹ The Pope did not specifically condemn portions of the Oath, but rather by his blanket denunciation he effectively closed the way for either discussion or compromise, while, at the same time, he made it difficult, if not impossible, for the English Government to discriminate between the political and the spiritual Catholics.² It is possible, however, that the Government was pleased with the papal rejection of the test.³ For those Catholics who could be induced to subscribe would do so in open defiance of a formal papal opinion and the division within the Catholic ranks would thereby be driven deeper.

Despite these developments, James refused to permit the full execution of the law as it applied to the laity. Several of the secular priests proposed compromise formulae in lieu of the Oath but these negotiations were strictly forbidden. The Government had taken its stand on the Oath, though it proposed to proceed cautiously. The sacramental test was not imposed and every effort was undertaken to secure the subscription of leading secular priests. Blackwell decided to brave the papal wrath and for a year refused to publish the papal breve on the ground that it had been addressed to the Catholics of England and not to him in person. The Government exerted steady but quiet pressure and many prominent Catholics were persuaded to subscribe. All of the peers, save one, subscribed,⁴ and the Jesuits, in great alarm, reported to Rome that there was grave danger that the solidity of the Catholic structure in England would be completely undermined.⁵ Blackwell was finally induced to take the Oath and on July 7, 1607, Bancroft successfully persuaded him to publish an open letter in which he urged the clergy and the laity to follow his example.⁶

The Government's stratagem in securing the adherence of

¹ Quoted by Frere, *English Church*, 336.

² Hallam, *Constitutional History*, I, 398.

³ Usher, *Reconstruction of the English Church*, II, 179.

⁴ Frere, *English Church*, 337.

⁵ Tierney, *Church History*, IV, cxlv.

⁶ *Ibid.*, IV, cxlvii-cxlviii.

Catholic leaders, lay and spiritual, to its policy appeared to be succeeding and the Jesuits demanded more drastic action from Rome. They related, quite accurately, that "by taking the oath one is spared these outrages, the rage of the persecutors is softened, and gentler treatment experienced from the Government and its officers."¹ These representations moved the Pope to issue a second pronouncement in August 1607 and the great Catholic controversialist, Bellarmine, was commissioned to attack Blackwell and the Oath.² The Government permitted the Archpriest to reply and his defence of the Oath was given wide circulation by the sagacious Bancroft. A few months later (February 1608), Blackwell was deposed by the Pope and Catholic policy in England was determined to the taste of the Jesuits.

The conflict which had broken out over the Oath provoked a considerable literary controversy which, beginning with a consideration of the Oath, broadened out into a general discussion of the comparative merits of the two great ecclesiastical systems. It is not germane to our study to consider fully the ramifications of this bitter paper warfare, but we should follow closely James's own contribution to it and examine the general view of the King towards the position of his Roman Catholic subjects in the State.

On the basis of the discussion opened by Cardinal Bellarmine and Blackwell, James entered the lists in 1607 with his anonymous *Apologie for the Oath of Allegiance*. Bellarmine replied, under the name of Matthaeus Tortus, with his *Responsio ad Librum Inscriptum triplici nodo, triplex cuncus, sive Apologia*, which vigorously attacked James's contention that the Oath had a purely civil significance and which asserted that it denied, in reality, the spiritual position and overlordship of the Pope.³

¹ Quoted by Usher, *Reconstruction of the English Church*, II, 184.

² *Political Works of James I*, 80-81.

³ Bellarmine's *Apologia* gave to the controversy a European significance. A new edition of the King's book was quickly issued under his own name, with a long preface addressed to the princes of Europe appealing against the temporal pretensions of the papacy. In 1609 he was supported by Bishop Andrewes, who replied directly to Bellarmine in the *Tortura torti sive ad Matthaei torti Librum Responsio*, etc. This polemic added little to the discussion. Bellarmine replied, and in 1610 Andrewes rejoined the controversy with his *Responsio ad Apologiam Cardinalis Bellarmini*. Andrewes attacked both the general claim of the Pope to primacy, and his specific claim to the dispensing power.

[Note continued on p. 80.]

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

James stoutly maintained that the Oath had none but a civil significance. By it the Government sought to distinguish between those Catholics who were at once good Romanists and good subjects and those who under the guise of religion masked seditious and disloyal purposes.¹ The Oath had already proved of value in this connection and to "all quietly minded papists" the Government had given "good prooфе that I intended no persecution against them for conscience cause, but onely desired to be secured of them for civil obedience, . . ."² This

Meanwhile a subsidiary debate had broken out. In 1608 the veteran Parsons had attacked the English position in his *The Judgement of a Catholike Englishman*, etc. (This work will be considered fully in our discussion of Catholic thought, *vide post*, 499 ff.) He was answered by William Barlow, Bishop of Lincoln, who in his *An answer to a Catholike Englishman*, etc. (1609) adopted a wholly negative position which might be summarized as: "Our truth is quite as good as yours." ". . . Wee, having as good cause to be persuaded of our church, as wel in assurance of Gods promise[d?] truth, and presence within it, as her iust right for suppressing heresies, make no doubt, but that against them of Rome, we may as lawfully proceed, by compulsarie means, as by this oath, as they against us by the like" (p. 61). Parsons answered Barlow with his *A Discussion of the Answer of Mr. William Barlow* (1612), which contributed little to the general discussion. On the Continent the controversy had broadened out, and in 1615 Cardinal du Perron defended the general papal position in a speech which considered the English Oath in some detail. This oration was responsible for the publication in the same year of James's *The Remonstrance for the Right of Kings*, which may be said to close the controversy in England.

The controversy had been bitter but had made no significant contribution to the defence of the position of either side. The English apologists maintained flatly that the Oath was a civil matter, while the Romanists held as staunchly that it was spiritual in character. The most disturbing aspect of the discussion, from the point of view of English Protestantism, was the apologetic nature of the English defence. The majestic reasoning and the bold avowal of the spiritual independence of the English Church by which the Elizabethan giants had defined that Church had given way, it would appear, to a nerveless sense of half-admitted inferiority. There were a half-dozen Puritans qualified and eager to give the English position vigorous defence, and they must have chafed as the controversy proceeded.

¹ The purpose of the Oath is to "make a separation, not onely betweene all my good subiects in generall, and unfaithfull traitors, that intended to withdraw themselves from my obedience; but specially to make a separation betweene so many of my subiects, who although they were otherwise popishly affected, yet retained in their hearts the print of their naturall dutie to their soveraigne; and those who . . . could not conteine themselves within the bounds of their naturall allegiance, but thought diversitie of religion a safe pretext for all kinde of treasons, and rebellions against their soveraigne." (*Political Works of James I (Apologie for the Oath)*, 71-72.)

² *Ibid.*, 72, 85.

has long been the policy of the English Government. Before her excommunication Elizabeth "never medled with the blood or hard punishment of any Catholique, nor made any rigorous lawes against them,"¹ and despite plots against her life and efforts to dethrone her, she sought constantly to deal with the Catholics in a moderate and clement fashion. James stated that he had undertaken to enlarge this policy of moderation in the face of the opposition of many of his subjects. "It can never bee prooved, that any were, or are put to death since I came to the crowne for cause of conscience; . . ."² The responsibility for the sufferings of the Catholics rests squarely upon the Pope, who has sought to make it impossible for an Englishman to be a good Catholic and a good subject "as if no zealous papist could be a trew subiect to his prince; and that the profession of that religion, and the temporall obedience to the civill magistrate, were two things repugnant and incompatible in themselves."³ The Oath is purely civil in its nature.⁴ "I deale in this cause with my subiects, onely to make a distinction between trew subiects, false-hearted traitours."⁵ The revelations of the powder plot would cause any Government to undertake this weeding out of disloyalty.

James can rightfully be accused of many inconsistencies and waverings in his general policy, but he remained remarkably consistent in the exposition of his policy towards the Roman Catholics. Again and again he asserted that "no man hath lost his life, no man hath indured the racking, no man hath suffered corporall punishment in other kinds, merely or simply, or in any degree of respect, for his conscience in matter of religion."⁶ Even during the hysteria of the powder plot he had maintained that "many honest men, seduced with some errors of popery, may yet remaine good and faithfull subiects: . . ."⁷

In his *A Premonition to all most mightie monarches, kings, free princes, and states of Christendome* (1616), the King developed

¹ *Political Works of James I (Apologie for the Oath)*, 76.

³ *Ibid.*, 80.

² *Ibid.*, 77.

⁴ Again and again this contention is urged. *Vide ibid.*, 72, 97, 98, 113, *et passim*.

⁵ *Ibid.*, 97.

⁶ *Political Works of James I (Defence of the Right of Kings)*, 257.

⁷ *Political Works of James I (Speech of 1605)*, 285.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

his views in a fuller and calmer manner. He called to mind again the great provocation of the Plot, but asserted that his policy had been free of bitterness and that almost "never one of those sharpe additions to the former lawes have ever yet bene put in execution." He had been so anxious to exclude anything of a spiritual nature from the Oath that he had refused to permit it to include a denial of the Pope's power to excommunicate a prince. The English Government insists only that in the event of such an excommunication, licence may not be given to subjects to depose the King or destroy the Government. It was never the intention to lay anything against a cause of conscience. The Oath was set forward in reasonable terms and was designed "onely for making of a trew distinction betweene papists of quiet disposition, and in all other things good subiects, and such other papists as in their hearts maintained the like violent bloody maximes, that the powder-traitours did, . . ."¹ No man has died for his conscience in England. "For let him be never so devout a papist, nay, though he professe the same never so constantly, his life is in no danger by the law, if he breake not out into some outward acte expresly against the words of the law; . . ."²

The only possible exception which might be urged against this policy was the treatment of priests who entered England from abroad in violation of the law. These men have been brought within the scope of the statute of treason because of the "manifold treasonable practises that they have kindled and plotted in this countrey." Still, this law has been administered mildly and no priest has been put to death unless there were other evidences of treasonable design than illegal entry. Torture has been avoided save in cases which involved high treason, and these cases have been governed by laws which have been in force for more than three centuries.³

James's theory represented a very considerable advance in the direction of toleration. He promised that Catholics who were loyal would not be molested for cause of conscience, though their public worship would be forbidden for reasons of policy. However, the State could not permit the enlargement

¹ *Political Works of James I (A Premonition)*, 113.

² *Ibid.*, 157.

³ *Ibid.*, 157-158.

of the Catholic population through missionary effort because of the militant programme to which Romanism had pledged itself directly it should gain some power in England. Disloyalty could no more be tolerated from the Catholics than from any other group in the State. The Government was willing to assume that those who would take the Oath were loyal and they were to be given a partial toleration.

Unfortunately, however, the theory of the sovereign could not withstand the pressure of political forces. The King found that his moderate policy was opposed by the overwhelming majority of his subjects. Nor was the Catholic Church willing to accept the compromise which he had proposed. Its militant efforts were resumed, and during the remainder of the reign James found himself obliged to accommodate his policy to the circumstances of the moment.

3. MILD REPRESSION OF THE ROMAN CATHOLICS, 1609-1611

Early in 1608 the Government felt that the air had cleared sufficiently for a test enforcement of the penal laws. On February 15th, the King, in his address to the judges who were about to go on their circuits, instructed them to attempt a mild enforcement of the statutes of 1606. Catholics who would take the Oath were to be gently dealt with.¹ The Council further warned the judges that no priest was to be executed if he were willing to subscribe. The King did not intend that proceedings against the recusants should be abandoned, but rather desired "a moderate use of it." The laws should be enforced "sparingly" upon "notorious occasion of publike scandall or [audacity?] of some obstinate persons."² The Oath, for the time being, should be administered only to "active recusants, to recusants already under indictment, and to habitual non-communicants." Catholics of a quiet disposition who attended Anglican services from time to time, but who refrained from the communion, were not to be molested, since only obstinate and seditious persons were to be regarded as non-communicants.

¹ Bacon, Francis, *Works* (ed. Spedding, Ellis, and Heath, L., 1857-1874), XI, 90.

² *S.P. Dom.*, *James I*, xxxvii, 28 (*The Council to the Bishop of Chester, October 24, 1608*).

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

The Venetian ambassador observed these proceedings with keen interest and felt that the Oath offered at least a partial solution to the Catholic problem if the Pope and the Jesuits would be content with formal opposition to it. In 1607 he had written that the papal breve had "greatly incensed the king, and is likely to do more harm than good to the Catholics," both because it will result in increased severity and because the unrelenting attitude of the Pope will cause the English Catholics to despair.¹ The English Government, he wrote in the following year, is willing to tolerate a great deal and it is clear that the King is genuinely averse to persecution, "provided that he is not provoked by recollection of past terror, which God prevent."² But it is rumoured that the Pope intends to excommunicate all who dare to take the Oath,³ and it is to be feared that such a step "will breed great wrath in the mind of the King and Council, and beget much mischief to the cause of religion and its professors. Many ecclesiastics here are aware of this, and foresee the great harm that may arise from this violent step."⁴

In Rome the influence of the Jesuits continued to predominate and the mass of English Catholics feared that their fanatical policy would lead inevitably to bloody reprisals in England.⁵ In August 1609 the Venetian ambassador in Rome reported that three English priests had arrived and were pleading with the Pope "to order the Jesuits not to meddle with the affairs of Catholics . . . because they are the cause of great mischief to the faithful and do more harm than good. If they continue in their present course they will destroy the slight remnants of the Catholic faith that still survive."⁶

a. The Attitude of Parliament, 1609

Parliament had not been in session for many months and during the interval the Government had enjoyed a free hand in experimenting with its Catholic policy. A session had been

¹ *Zorzi Giustinian to Doge and Senate*, London, March 8, 1607, *V.P.*, x, 479.

² *Ibid.*, xi, 115 (April 3, 1608).

³ *S.P. Dom.*, *James I* (January 22, 1608), xxxi, 11.

⁴ *V.P.*, xi, 115.

⁵ *Vide V.P.*, xii, 6 (July 11, 1610).

⁶ *Mocenigo* (Venetian ambassador to Rome) *to Doge and Senate*, August 8, 1609, *V.P.*, xi, 315.

ordered for February 9, 1610, and both the Government and the Catholics awaited its convention with no little trepidation. The Catholics felt certain that some steps would be taken against them and in March the Venetian ambassador reported that "some proposals have already been made, and there are not wanting many who desire to suppress and ruin the Catholics to the best of their power."¹ The best defence which they enjoyed was the fact that their "secret defenders" could demand that all proposed legislation should be made applicable to the Puritans as well.² The Catholics were hopeful, too, that James would be able to withstand the pressure for greater severity. Only recently the King had said that he pitied and respected the "old papists." "If they bee good and quiet subiects, I hate not their persons; and if I were a private man, I could well keepe a civill friendship and conversation with some of them."³ James remained firm against suggestions that sterner measures should be employed, taking the position that it was sufficient to enforce the existing laws and to restrain the Catholic leaders.⁴

Parliament was so completely absorbed in constitutional problems that it seemed possible that the King's Catholic policy would not be severely criticized. Unfortunately, however, on May 14, 1610, Henry IV of France was murdered by a Catholic fanatic and the spectre of fear raised its head in England. In early June Correr reported that the King was furious and was considering how the Catholics might be destroyed in England. He had consulted several members of Parliament on the matter and seemed intent upon securing some crushing legislation against them. The King found warm sympathy amongst his parliamentary advisers and several plans were advanced.⁵ The Spanish ambassador was much disturbed,

¹ *Marc' Antonio Correr to Doge and Senate*, London, March 11, 1610, *V.P.*, xi, 445; *vide also ibid.*, xi, 421. ² *Ibid.*, xi, 445.

³ *Political Works of James I*, 323.

⁴ *Correr to Doge and Senate*, London, April 8, 1610, *V.P.*, xi, 462; May 25, 1610, *ibid.*, xi, 494.

⁵ June 9, 1610, *ibid.*, xi, 504-505. ". . . Various plans have been discussed; some of them have been rejected as too rigorous, such as, for example, the instant execution of all condemned priests and the trial of all imprisoned priests." A more stringent Oath of Allegiance was considered, and it was determined to put an end to the practice whereby leading Catholic families

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

and after considerable effort gained permission to take six imprisoned priests out of the kingdom, though the Government refused to surrender one or two who were particularly suspect.¹

Nor were the Catholics helped by reports current abroad that conspirators were plotting on James's life.² In July the Catholics were reported to be fleeing from London and both the King and Parliament were said to be determined to undertake a full execution of the penal laws. All English Catholics were prohibited under strict pains from attending services in the foreign embassies in London,³ after the chancellor had stated in Parliament that this privilege had been grossly abused.⁴ Sir Francis Hastings averred in the Commons that the number of recusants had increased greatly during the past seven years,⁵ and Parliament formally petitioned the King to put the penal laws into execution at once. An act was quickly passed which ordered that the Oath of Allegiance should be administered to every English subject and which, for the first time, imposed a penalty upon married women who were recusants.⁶

The legal provision for the administration of the Oath to all subjects was impossible to execute. But, none the less, the act subjected the Catholics to crushing penalties from which there could be no legal escape.⁷ They could only hope that James's rather mercurial temper would cool. By the time Parliament had complied with his demand that he be given more stringent legislation there was evidence that the storm had partially subsided. Correr reported that "in order to remove from himself so far as possible the hatred of the Catholics, he had insisted that in the Proclamation it shall be explicitly stated that these acts were passed in other times, allowed to fall into disuse by his majesty's clemency and only renewed at the general request of the nation."⁸

sent their children abroad for education. In general, no better legal machinery could be devised than the existing statutes, and it was determined to enforce the laws.

¹ *V.P.*, xi, 505.

² *S.P. Dom.*, *James I*, 1, 12, December 3, 1609.

³ *Correr to Doge and Senate*, London, July 7, 1610, *V.P.*, xii, 4.

⁴ *C.J.* (May 25, 1610), I, 433.

⁵ *Ibid.*, I, 432.

⁶ *Gardiner, History of England*, II, 73.

⁷ *Correr to Doge and Senate*, London, June 16, 1610, *V.P.*, xi, 510.

⁸ *V.P.*, xi, 510; *vide also ibid.*, xi, 517 (June 23, 1610).

4. THE GOVERNMENT MAINTAINS A MODERATE POLICY TOWARDS THE CATHOLICS DESPITE THE OPPOSITION OF PUBLIC OPINION, 1611-1625

During the remainder of 1610 and the early part of 1611 the penal laws were enforced with considerable severity, but by no means to the full extent of the laws.¹ A Benedictine friar was put to death at Tyburn, and at least two secular priests suffered the death penalty.² But the Oath of Allegiance was not universally administered and by July 1611 the burst of severity had waned.

The vigorous policy which the English Government had undertaken greatly distressed the Pope, who consulted with his advisers "as to the way in which this persecution might be killed or modified." He was told that the English Catholics would never be permitted to live in peace until all efforts to harm or annoy James were abandoned and until the Jesuit policy was forsown.³ The latter concession the Pope was unwilling to make and he was obliged to look on helplessly while the Catholic ranks in England were further decimated. One must, indeed, sympathize to some degree with the policy of the Jesuits. They realized clearly that if the missionary programme were terminated, and the English Catholics permitted to fend for themselves, though the present generation might live in comparative security as practising Catholics, the faith would rapidly die out. Such a policy, too, would tacitly concede that Catholicism in England was to be passive and the Jesuit dream of re-converting England would have to be renounced for ever. Devoted and zealous men do not make these concessions easily. Unfortunately, however, the helpless and pious laity in England were the hostages to the Jesuit devotion to a holy cause.

As a result of the temporary severity towards the Catholics, a scheme for bribing the King for some measure of toleration was cautiously broached. It was rumoured in London late in

¹ *Vide V.P.*, xii, 42-43, 165, 169, 170.

² *V.P.*, xii, 100-101 (December 23, 1610); *Calendar of State Papers and Manuscripts existing in the Archives and Collections of Milan*, I, 618, 647; and Law, *Calendar of English Martyrs*.

³ *Mocenigo to Doge and Senate, Rome, January 15, 1611, V.P.*, xii, 107.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

1610 that Catholic leaders had offered the King a large sum if he would again give them protection from the laws.¹ The Catholics hoped to take advantage of the friction which had marked the closing weeks of the Parliament and to exploit the King's urgent financial requirements. Nothing seems to have come of this proposal, but in March 1611 the Catholic leaders expressed the hope that the King might be persuaded to accept the appointment of four or five bishops who would be charged with the administration of English Catholic affairs. It was urged that such a step would serve to unite the Catholics and would possibly find favour with the King, who would then be able to deal with responsible representatives of his Catholic subjects. This plan had much to recommend it from the point of view both of the Government and of the Catholics, but, for the time being, further consideration of it was prevented by Jesuit influences in Rome. The Jesuits were still determined to have complete charge of the Catholic programme in England.²

So long as the Jesuit efforts to recapture England produced occasional waves of hysteria, the Government, no matter how clement its aims might be, would be obliged from time to time to rid itself of the danger of a general Catholic outbreak by the imposition of crushing penalties—and this threat was always at hand in the form of the penal laws. Dudley Carleton, who had been sent to Venice in 1611, carefully explained this fact in a reasoned statement which probably echoed his instructions from the Council. Carleton held that when James came to the throne he had deliberately set aside the harsh measures of his predecessor and had "endeavoured by clemency and benignity to preserve his subjects in quiet and peace; nor did he seek from them aught else than due obedience and proper respect, which is the right of all sovereign princes."³ But this tolerant policy had been grossly abused by some Catholics who under pretence of religion had plotted both against his life and against the "weal of his Kingdom and of his States." No choice was left to his Government but to defend itself against this seditious threat. "In so doing, however, his majesty has displayed his

¹ *Correr to Doge and Senate*, December 23, 1611, *V.P.*, xi, 100.

² *Ibid.*, London, March 24, 1611, *V.P.*, xii, 127-128.

³ *Carleton's Speech to Venetian Council*, February 21, 1611, *V.P.*, xii, 117-118.

singular clemency, for during all this time in such numerous occasions he has handed to the secular arm only a few, out of the many whom he might have consigned." The King shrank from the execution of these men and consented to their punishment only when the requirements of good government and the protection of the realm demanded it. He had laboured earnestly to protect the Catholics, and any severity which they may have experienced must be held to have been due entirely to this "new and scandalous procedure" of the Church whereby "under the cloak of religion persons sought to introduce discord into kingdoms and to plot against the lives of princes; . . ."¹

Following the gradual relaxation of the penal laws in 1611 the Catholics were to enjoy rather more than a decade of comparative peace. This is not to say that anything resembling toleration obtained. But the Romanists were spared the lash of continuous and severe persecution. There were occasional outbursts of feeling, especially when Parliament was in session, and rather a strict policy was maintained towards missionary priests,² but the average layman was seldom molested. This moderate policy was largely the consequence of James's laudable desire to treat his Catholic subjects humanely so long as the peace of the realm was not disturbed by plots, and it was maintained in the face of steady resistance from an articulate public opinion and, until the Council was prostituted to the point of impotence, from his own advisers.³

a. James's Statement of his Policy in Parliament, 1614

At the opening of the Addled Parliament on April 5, 1614, James outlined his policy with some fulness. He admitted that

¹ *Carleton's Speech to Venetian Council*, February 21, 1611, *V.P.*, xii, 118.

² During the first ten years of the reign about twenty Roman Catholics were put to death under the treason laws. Of this number, fourteen or fifteen were priests. During the remainder of the reign (1613-1625) not more than seven Catholics suffered death, all save one (Roger Wrenno, executed in Lancashire in 1616) being priests. In June 1613, the Government released five priests to the custody of the Savoyard ambassador, who agreed to send them out of the realm immediately. (*Acts of the P.C.*, June 22, 1613.)

³ *Lords of the Privy Council to James* (argument for putting into effect the penal laws and the effective suppression of recusancy), *B.M., Add. MSS.*, 32092, 218 (c. 1613).

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

there had been some increase in recusancy and declared that steps would be taken to check its further growth. He did not desire additional laws, but promised that those with which he had been provided should "have execushone, which is the life of the lawe, and without it they are but deade words."¹ He expressed vexation that some had called him a persecutor because he had defended the realm against the attacks of the Jesuit party. Nothing could be farther from the truth. He had always been convinced that history demonstrates that no "relygeone or heresye was evere exterpated by violense or the swoarde, nor have I evere judged it a way of plantyng truthe."² If a religion is false, it will perish because of its falseness, and persecution only serves to maintain it the longer by providing it with martyrs. Experience has shown that men are willing to die as readily for heresy as for truth.³

This, for the early seventeenth century, was a remarkable statement of governmental policy. The King admitted the futility of persecution and, before Parliament, disavowed it as a policy. He defined the Government's function as being concerned only with the maintenance of peace and order. It should punish seditious Catholics solely because of the political complexion of their opinions and activities. Catholicism, as such, stood in no danger save as it embraced seditious tenets under a religious guise.⁴ The Government had no concern with the spiritual errors of the Catholics, which the Puritans were so anxious to eradicate, for these falsehoods would be destroyed by the operation of time and the impact of truth.

b. The Spanish Marriage Treaty Negotiations: Influence on Catholic Policy; Fatal to James's Tolerant Inclinations

A real effort was made by the King to give effect to the noble theory which he had recently pronounced. Thus, despite the

¹ *Parliamentary History*, I, 1150.

² *Ibid.*, I, 1150-1151.

³ *Ibid.*, I, 1151, and *vide V.P.*, xiii, 115-116.

⁴ We should notice also his 'reported' speech in the Star Chamber in 1616. James is supposed to have said, "I am loath to hang a priest only for his religion, and saying mass; but if they refuse the Oath of Allegiance, I leave them to the law." (Neal, *Puritans*, I, 463; Frankland, Thomas, *The Annals of King James and King Charles the First*, 25.)

evidence of a considerable increase of recusancy in Durham,¹ almost no effort was made during the remainder of the reign to check its growth. Priests came and went there with little hindrance and the penal laws were openly ignored.² In 1625 it was reported that there were a thousand "convicted recusants" in this county alone.³ In Cumberland many priests had been persuaded to subscribe to the Oath of Allegiance and the Catholics tended to practise occasional conformity.⁴ In return for meeting the Government's demands they appear to have been given moderate toleration. Thus Lord William Howard conformed occasionally and took the Oath and, though repeated charges of popery were instituted against him, James refused to allow him to be disturbed.⁵ In 1617 Bishop Snowden reported that there were many recusants in the county (Cumberland) but he did not appear to be especially exercised. He expressed the pious hope that they might be converted in due time by gentle persuasion and the exercise of patience.⁶

The official papers indicate that the recusants were treated moderately throughout this period and licences for travel seem to have been granted freely. Thus in a period of nine months (October 1616 to July 1617) thirty-three such licences were granted, thirteen for stated reasons, seventeen for business purposes, and three because of illness. The licences usually ran for a period of six months and normally permitted free travel within England. In no case was bail required.⁷

Even the missionary priests seem to have been treated with unusual leniency in this period. The Privy Council was informed in 1617 that the priests confined in Newgate prison had been given liberty to correspond with the seminaries at Douay and St. Omer, and that they were well provided with books and other amenities.⁸ The prisons were cleared of these priests from time to time. In 1618 the Privy Council authorized

¹ *S.P. Dom., James I*, lxxx, 116 (June 17, 1615).

² *The Victoria History of the Counties of England* (Durham), II, 41.

³ *S.P. Dom., Charles I*, xxxv, 18 (September 4, 1626).

⁴ *V.C.H. (Cumberland)*, II, 88.

⁵ *H.M.C. Reports*, XII, App., vii, 15.

⁶ *Dioc. History Carlisle* (S.P.C.K.), 131-133.

⁷ *Acts of P.C.*, October 1, 1616, to July 6, 1617.

⁸ *Ibid.*, May 23, 1617.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the banishment of twenty-six priests then in prison for "treason, felonies or other offences." These men were released to the custody of the Spanish ambassador, who provided them with transportation out of the realm.¹ Two years later, six more were expelled,² after the King had told the French ambassador that all the priests in prison were at liberty to abjure the realm unless they chose "rather to remayne where they are."³

Contarini, who had been sent to England as Venetian ambassador in 1617, and who was considerably more pious than most of his predecessors, did not look with complete favour upon the royal policy. He remarked that in the earlier years of the reign James had been unable to follow a clement policy because of the continual plots of fanatical Catholics. He placed the blame for most of the executions of priests squarely upon the Jesuit party. Since these plots have subsided the Government has assumed a milder but, at the same time, a more effective policy. "Now they adopt another plan, sparing their lives and attacking their property, laying heavy impositions upon them and excluding them from all offices. They are unfavourably looked upon and suffer continual persecution, so that many, in order to escape extermination remain secretly good Catholics but accommodate themselves to necessity. The number of these is much larger than of those who openly declare themselves."⁴

(i) *Outspoken Opposition in Parliament and the Country, 1621-1622*

The moderate Catholic policy which began to be evident about 1612 might possibly have succeeded had it not become interwoven with the Spanish marriage project during the later years of the reign. English temper as represented in Parliament was bitterly anti-Catholic, but James might have been able gradually to relax the enforcement of the existing laws without encountering severe opposition. Parliament was principally absorbed in constitutional issues and so long as it had no suspicion of the Protestantism of the King or of his policy,

¹ *Acts of P.C.*, June 26, 1618.

² *Ibid.*, February 19, 1620-1621.

³ *Ibid.*, January 28, 1620-1621.

⁴ *Piero Contarini to Doge and Senate, London, late 1618, V.P.*, xv, 418-419.

James might have improved the lot of his Catholic subjects on the grounds both of humanity and of expediency. The cause of Catholic toleration was ruined for several generations by James's attempt to grant more to the Catholics than England was willing to grant, and by his effort to cover his policy with a web of intrigue which convinced the dominant groups that the King had committed himself to much more than he admitted officially.

It will not be necessary for us to trace the tortuous progress of the negotiations for a marriage treaty between Charles, the Prince of Wales, and the Spanish Infanta.¹ Suffice it to say that these negotiations began in 1614 and that the outbreak of the Thirty Years' War in 1618 served to quicken James's resolution to bring the negotiations to a successful conclusion. Despite the King's bluster and threats, the Protestant cause in Germany went from bad to worse and the timid James hoped he could bring Spain to support his demand that Frederick be restored in the Palatinate as part of the marriage compact. These negotiations were looked upon with favour by Spain because they kept England out of the war, though there seems to have been little intention at any time on the part of the Spanish Government to permit the proposed marriage.

From the beginning, the Spanish had made it clear that a large measure of freedom for the English Catholics would be required as the fundamental condition of the proposed treaty. To James's honest desire to enlarge Catholic liberty were added, therefore, the necessity of preparing England gradually for an abandonment of the traditional national policy with respect to the Catholics and the necessity of facilitating the negotiations by evidence that he was already paving the way for a considerable enlargement of Catholic liberties. As the royal policy became clearer the Catholics as a body became ardent supporters of the Crown. "The Roman Catholicks desired the match above measure, hoping for a moderation of fines and laws, perhaps a toleration, yea, a total restauration of their religion; for they gained more and more indulgence by

¹ Little remains to be added to Gardiner's masterly account of these negotiations. At some points, which will be indicated, it will be observed that the writer's treatment is little more than a summary of Gardiner's analysis.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the long-spun treaty."¹ This alliance of the Catholics with the Crown was to become firmer during the reign of James's son and constitutes one of the fatal Stuart blunders, for it permanently alienated large sections of English Protestantism.

As early as April 1620 we have evidence of the influence which the marriage negotiations were to have on the King's Catholic policy. In that month James informed the great diplomatist Gondomar, who had recently been sent to London as Spanish ambassador, that he was taking steps to ameliorate the condition of the Catholics. Commissions were to be established to assume charge of the leasing of recusant lands and these bodies would be instructed to act moderately. Persons who took the Oath of Allegiance would be given a large measure of freedom and those refusing the Oath would be freed on condition that they abjure the realm within a period of forty days.² No Catholic should suffer the death penalty because of his religion. The King expressed doubt that Parliament could be induced to repeal any of the existing penal laws, but proposed to accomplish his policy by a mitigation of the laws.

A new Parliament assembled at Westminster on January 30, 1621, its members little suspecting that these commitments had been made. It was known, however, that negotiations were in progress with Spain, and the King's references to religion in the speech from the throne were eagerly awaited. The speech was perhaps the ablest that James ever made. He was convinced that there were enough laws governing religion. "The maintenance of religion standes in two poynts, first, persuasion; which must precede, second, compulsion, which must follow."³ No man can be brought to the true religion by force. "The whole world cannot make the smallest worm. The magicians of Egypt could not do it, and I hold that we ought not to force the conscience of any one."⁴ No law of man can make a good Christian, for human law cannot supply inward grace. It is the responsibility of the ministers to persuade men to faith by sound preaching and good example. If they fail, the magistrate

¹ Rushworth, John, *Historical Collections* (L., 1659-1701), I, 4.

² Gardiner, *History of England*, III, 345.

³ S.P. Dom., *James I*, cxix, 47.

⁴ V.P., xvi, 580. There are minor variations in this text.

may compel men to an outward observance of the forms of religion, and "leave the successe to God." Conscience should not be forced, but all subjects must obey the laws of the kingdom. In closing, James mentioned the rumours that he would grant toleration to his Catholic subjects as part of the Spanish marriage treaty. He was scandalously vague in his explanation: "I will doe nothing therein which shall not be honorable and for the good of religion."¹

James's evasive discussion of the terms of the Spanish match only served to heighten the rumours and the suspicions which the relaxation of the penal laws had already induced. Sentiment against the Catholics was mounting rapidly both in and out of Parliament. The feeling in London was described by Viscount Dunbar as "wth all violence agaynst Catholiques. . . ." The Londoners "urged to have all penall lawes presently put in execution agaynst them and that the kinge will by his royalle worde assure them never to match the Prince wth any whereby any case may be given to Catholiques."²

In Parliament, the hope of unanimity with the King, if a common policy could be devised for buttressing the endangered Protestant cause abroad, was rudely dispelled by the suspicions of the Commons concerning James's Catholic policy. On February 5, 1621, Sir James Perrot moved that communion be taken by the House in order to ferret out recusants and a storm of protest arose because of the laxity which the Government had displayed towards the Catholics.³ Sir Edward Gyles called the attention of the members to the great number of recusants in London and demanded that measures be framed for restraining them. Sir Jerome Horsey moved that a committee be appointed to search the cellars of the House twice a week in order to avoid some dastardly plot on the safety of the members, and reminded the Commons that Protestantism was in grave danger at home and abroad. Another member warned the Commons of "how desperate they may grow, if their hopes [in a toleration] . . . fall or fail."⁴ After six or seven other

¹ *S.P. Dom., James I*, cxix, 47.

² Henry (Constable), *Viscount Dunbar to his servant* (c. 1620), *Add. MSS.*, 38856, 3. ³ *V.P.*, xvi, 571, 577, 589-590, *et passim*.

⁴ *C.J.*, I, 508 (February 5, 1621).

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

members had spoken in this vein, Mr. Crew moved that "his majesty may be informed of our general apprehension of grief of the papists insolency, and of hundreths to come from mass. No place, in foreign parts, suffereth any such bravado to their religion. Popish pictures, by artificers, set up in the streets. The prisons full of Jesuits . . . where they have conventicles; whilst we here in consultation."¹

A committee was immediately appointed to draw up a petition requesting the full enforcement of the penal laws, and in this petition the Lords joined with enthusiasm.² On February 17, 1621, James answered this joint petition. He reiterated his conviction that there were enough laws in force, and declared that it was contrary to his nature to use compulsion in matters of faith. He had continually to plead for persecuted Protestants abroad, and he could scarcely hope to better the condition of his co-religionists were he to embark upon a rigorous policy of repression at home. He was, however, willing to undertake the enforcement of the existing laws.³ This promise can be regarded as little more than an untruthful evasion in the light of what we know of James's commitments to Spain, and the policy which he continued to follow directly Parliament was dismissed. Nor were the parliamentarians quick to forget this deliberate deception.

James's unwillingness to deal frankly with Parliament regarding the Catholics resulted in an explosion of feeling in the spring. In April Gondomar was grossly abused while passing in the streets and a member of his retinue was man-handled by an apprentice. The attempt to punish the assailant

¹ *C.J.*, I, 510.

² *L.J.*, III, 17, 18-19; Frankland, *Annals*, 58-59. The petition called the King's attention to the recent increase in the number of recusants and stressed the danger to the Crown in the "strange confederacy of the princes of the popish religion, aiming mainly at the advancement of theirs, and subverting of ours." (Frankland, 58.) The hopes and designs of the Catholics at home and abroad have received encouragement from the marriage negotiations. The Roman religion, the petition urged, is completely inconsistent with the Protestant. "It hath a restles spirit, and will strive by these gradations; if it once get but a connivancy, it will press for a toleration; if that should be attained, they must have an equality; from thence they will aspire to superiority, and will never rest till they get a subversion of the true religion." (*Ibid.*, 59.)

³ *S.P. Dom.*, *James I*, cxix, 101, 103.

led to a serious riot and the King was obliged to intervene personally in order to secure the execution of the sentence.¹ The pent-up feelings of Parliament were released in its hysterical handling of the Floyd case, which Gardiner has so admirably described.² The King was unable to check the rising tide of anti-Catholic feeling,³ and on June 4, 1621, adjourned the Parliament.

It seems incredible that James did not sense the resolution of English feeling on the subject of toleration more accurately from the incidents of this session. By an evasive and intriguing policy he had endangered the position of the throne and had effectively ruined any hope for Catholic toleration for decades to come. James unwittingly worked against the possibility of toleration by his stubborn devotion to the Spanish marriage project. "In the eyes of posterity, he is guilty of defiling the sacred cause of religious liberty by making bargains over it for Spanish gold and Spanish aid" in the Palatinate.⁴

When Parliament reassembled on November 20, 1621, it was soon apparent that its enraged feelings had not cooled. The ministers begged the Commons to make a grant to meet the emergency in the Palatinate before considering other business. But the House was not to be restrained. Led by Perrot, Digges, Phelps, and Coke, violent attacks were made on Spain and the opposition members demanded war against the Catholic power. On the 28th, Pym, who was to establish himself during this session as the parliamentary leader, rose to speak on the subject of religion. He expressed the fear that the King's piety had led him to adopt a tender policy towards his Catholic subjects, with the result that the Romanists had grossly abused this leniency. The Catholics have been encouraged and the consequence is that the peace of the State has been endangered. The King, the Puritan urged, must exercise "the outward and coercive power of magistrates, to restrain, not only the fruit, but even the seeds of sedition, though buried under the pretences of religion."⁵

¹ Gardiner, *History of England*, IV, 118-119.

² *Ibid.*, IV, 119 ff.

³ V.P., xvii, 54-55. James had promised Gondomar that he would decline to accept any anti-Catholic legislation. (*Ibid.*, xvii, 55, 63.) This fact had an important bearing on his decision to adjourn Parliament. (Ranke, I, 503.) A bill had been prepared for presentation bearing extremely severe penalties against priests and recusants.

⁴ Gardiner, *History of England*, IV, 349.

⁵ *Proceedings and Debates*, II, 233-234.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

The laws were not designed to punish the Papists for their religious beliefs, but to restrain them from those seditious actions which their religion teaches them they ought to perform.¹ These men are a menace to the peace and well-being of England. Pym demanded the full execution of the penal laws and a searching investigation of recusancy.

Under Pym's leadership the Commons, on December 1, 1621, began consideration of the petition against the recusants.² The petition reviewed the miserable state of Protestantism abroad and recounted the illegal freedom which the Catholics enjoyed in England. If these liberties were continued, Protestantism in England would soon be endangered. The favour which had been shown to the Spanish ambassador and the negotiations for the marriage treaty had revived the spirits of the Catholics. The petition proposed that these evils should be cured by levying war on the Spanish; by enforcing the recusancy laws; by seizing the lands of professing Catholics; and by seeking a Protestant bride for the Prince.³

The charge of the Commons that Spanish influence represented a serious threat to English Protestantism seemed confirmed when Gondomar protested against the petition while it was still under debate.⁴ James was moved to rebuke the Commons sharply for meddling with the mysteries of state and to warn the members against entrenching upon the royal prerogatives.⁵ The House was deeply stirred by the royal rebuke and the discussion shifted to the constitutional issues involved. The immediate problem of Catholic policy was not taken up again in this Parliament. On January 6, 1622, the Parliament was dissolved.

¹ *Proceedings and Debates*, II, 234.

² *C.J.*, I, 650; *V.P.*, xvii, 186-187; *S.P. Dom.*, *James I*, cxxiv, 3.

³ *Rushworth, Historical Collections*, I, 40-43; *V.P.*, xvii, 186-187.

⁴ On December 17th, the Venetian ambassador, Lando, reported that "the Parliament, these last days has inveighed strongly against the Spaniards, against the French also, as well as against the poor English Catholics and the Jesuits, charging these last with violence and contempt against some preachers and with a thousand other things. They have complained bitterly because his majesty shows them so much indulgence. In weighing countless other matters which they consider grievances to the kingdom and prejudicial to its liberty, they decided to petition his majesty to put in execution some rigorous" measures against the Catholics. (*V.P.*, xvii, 181, December 17, 1621.)

⁵ *S.P. Dom.*, *James I*, cxxiv, 8; *V.P.*, xvii, 181.

(2) *Relaxation of the Penal Laws (Toleration in Fact) and the Reaction of Public Opinion, 1623*

After the dissolution of Parliament the negotiations with Spain were advanced more rapidly, and the manifest conviction of English opinion on the subject of toleration for the Catholics was wholly ignored. The Government sought to hasten the conclusion of the treaty by a marked relaxation of the penal laws and for the time being the Catholics were given large liberties. The Venetian ambassador wrote that it was the intention of the King to free all the lay Catholics and to release the ecclesiastics for transportation out of the realm. Indeed, he understood that James would be willing for the priests to remain in England were it not for the incessant intrigues of the Jesuits. "The king fears these and they are hated by the other religious, but are so well supported both within and without the kingdom that nothing to their prejudice would be allowed even though it might prove to the advantage of" Catholicism. The Venetian believed that the policy of moderation was a direct result of the Spanish negotiations, "and certainly the Catholic religion has never been practised in this realm so freely as at present."¹

Valaresso detected, however, the fatal flaw in the royal policy. It did not have the support of the people and could never mean more than a temporary alleviation of Catholic suffering without legislative action by Parliament.² And the King's very boldness in taking this step must inevitably react to the detriment of the principle of Catholic toleration. Parliament and England believed, with reason, that the action had been taken to satisfy the demands of the hated Gondomar, and knew that this step was but a prelude to more dangerous Spanish dictation in internal affairs in case the Spanish marriage should be arranged.

We do not know how many Catholics were released as a result of the royal policy, but it is probable that most of the imprisoned Romanists were freed. Rushworth says that the judges "released multitudes of priests and popish recusants . . ."³ Another writer informs us that the priests not only were released, but were permitted to carry on their work with very

¹ *Alvise Valaresso to Doge and Senate*, London, August 19, 1622, *V.P.*, xvii, 391. ² *Ibid.*, xvii, 391-392. ³ Rushworth, *Historical Collections*, I, 62.

little hindrance. He lists 255 priests, including many Jesuits, who were active in and about London two years later.¹ Prynne charged that 4,000 were set free at this time,² and though this figure probably represents the Puritan's usual exaggeration, the number may have exceeded one thousand.³

The relaxation of the laws against the Catholics had aroused the suspicions of England, and it redounded to the benefit of the Puritan and sectarian groups, which, having been consistently hostile to the Catholics, now became fanatically so. In Protestant nonconformity sober and patriotic Englishmen began to discover the strongest defence against Rome and foreign intervention in English affairs. The Puritan pulpits rang with violent denunciations of Rome and the King's Spanish policy, and the Government felt it necessary to imprison several of the more influential of these preachers. At about the same time, the King instructed Archbishop Abbot to forbid the discussion of controversial doctrinal topics.⁴ The order was badly timed, for it appeared as if the King were deliberately muzzling Protestant orthodoxy in order to favour the Romanists the more. The Venetian observer wrote that in late August 1622 an extension of the restraint on preaching was being discussed, by which attacks on Rome and doctrinal controversy with Romanists were to be forbidden. This policy, he wrote, brought joy to the Roman Catholics, but the King was sowing the seeds of civil war.⁵ On August 31, 1622, the contemplated step was taken when the Bishop of London issued instructions to his clergy to refrain from meddling in affairs of state and not to question the King's Catholic policy. "They shall not preach the damnation nor cry out against the pope or any of his sect or any other thing pertaining to him, but simply upon faith and good works."⁶ Nor should they venture to interrupt the worship or liberties of the Papists, but should, on the contrary, "preach this purpose of his majesty discreetly to their parishioners."⁷

¹ Gee, John, *The foot out of the Snare* (L., 1624), P 2-Q 3.

² Prynne, W., *Hidden workes of darkenes brought to publike light* (1645), 13.

³ *de Cirica (Madrid)* to James I, July 7, 1622, *Tanner MSS.*, lxxiii, 129.

⁴ Wilkins, David, *Concilia Magnae Britanniae*, IV, 465-466.

⁵ *V.P.*, xvii, 397, August 26, 1622.

⁶ *Ibid.*, xvii, 407, September 2, 1622 (enclosure).

⁷ *Ibid.*, xvii, 408; *vide also Ranke*, I, 514.

The King's resolution to effect the Spanish marriage treaty, with the concomitant enlargement of the liberties of the Catholics, would indicate either a complete misunderstanding of the temper of the English people or an insane resolution to override public sentiment. It should be emphasized that in this period the Council was filled with favourites and ambitious incompetents, and that the King was fairly insulated from the currents of public opinion. Valarezzo, the Venetian ambassador, realized this, and the King's mad policy deeply disturbed him. He wrote in early September 1622, "The idea of bridling the tongues of the preachers in matters considered to pertain to their faith is like damming torrents, which only rage the more furiously and easily break into sedition. Two of these have been imprisoned for condemning the marriage under a parable and speaking ill of Spain;¹ but the murmuring and whispering among the people only increase for this."²

The ablest man in the Government, the Lord Keeper Williams, who was in reality opposed to the King's Catholic policy, made a feeble and unconvincing attempt to defend the Government's recent actions. He was distressed by the fact that the common people of England completely misunderstood the royal policy. James, he urged, did not favour popery, but regarded some degree of moderation as necessary in order to mediate successfully in behalf of persecuted Protestants abroad. The general belief that "this favour should mount to a tolleration" is a complete misapprehension. Those who have been released are under bond and they will be remanded to custody if they presume on their privileges. Some degree of tolerance to the Papists does not imply favour to popery.³

The delicate state of religious affairs in England was astutely diagnosed by Girolamo Lando, the new Venetian ambassador

¹ He probably refers to the imprisonment of Dr. Everard in the Marshalsea for a sermon in which he violently attacked the Spanish, and of a Puritan minister named Clayton for a scurrilous sermon in the same vein.

² *V.P.*, xvii, 411, September 9, 1622.

³ *S.P. Dom.*, *James I*, cxxxiii, 20, September 17, 1622; *vide also* John Murray, *A letter writ[en to] the L. Viscount Anan* (1622), which was evidently inspired by Williams's explanation. The favour which has been extended to the Catholics by no means implies a toleration; "a toleration looks forward to the time to come, this favour backward to the offences past" (p. 4).

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

in England, who, at the same time, gave a general estimate of the King's religious policy which is worthy of extended notice. James, he wrote, had consistently endeavoured to temper the bitterly anti-Catholic policy of his predecessor. "Any prudent ruler would do the same, at least until fairly in the saddle."¹ He has treated the Catholics severely only when their treasonable conspiracies have forced him to do so. He has sought to rule them gently in order to lessen the dangers of discontent and sedition, and he has steadily "professed a desire to win them over by preaching and exhortation, not to violate their consciences by punishment."² If it were not for the bonds which Parliament imposed upon him, Lando believed that the King would try to balance Catholic strength against the rising tide of Puritanism. "He could not suppress either without trouble, and without the suppression of one his power might always be called feeble. He would not favour the Catholics so much that they would gain strength and cause the Protestants the profound dissatisfaction which they now feel, but he would not oppress them so as to compel them to contemplate revolution, . . ." Lando regarded the existing state of affairs as extremely critical. "The danger of these present conditions is that the more rigid Protestants and Puritans may use every effort to obtain a king some day after their own heart, and then one might fear the extirpation of the Catholic plant" in England.³

The Venetian erred in crediting James with Machiavellian insight and consistency of purpose. James appears rather to have been a well intentioned, humane, and tolerant man, who was wafted hither and yon by personal caprice and by every political current. The Spanish marriage negotiations represent the crowning inconsistency of his reign, and the overwhelming majority of his subjects could detect in that inconsistency nothing but a sinister design to weaken the defences of Protestantism. James brought the throne into greater danger than is usually appreciated.

¹ *V.P.*, xvii, 428-429, September 21, 1622.

² *Ibid.*, xvii, 429.

³ *Ibid.*, xvii, 450.

(3) *The Spanish Marriage Treaty, and Further Steps towards the Toleration of the Roman Catholics; State of Public Opinion, 1623-1624*

Meanwhile, the negotiations with Spain were rapidly approaching a climax. In February 1623 Charles and Buckingham at last succeeded in gaining the King's consent to go to Madrid in order to press the prince's suit in person and to hasten the conclusion of the negotiations.¹ We are not concerned with their fantastic visit except to notice that the astute Spanish Council took advantage of the prince's inexperience and romantic mood and steadily increased the severity of the terms. It was finally stipulated that the Infanta must remain in Spain for a year after the marriage and in the interval the freedom granted to the Catholics under the terms of the treaty must be publicly proclaimed. The King, Charles, and the Privy Council must swear that this liberty should never be revoked and must at least endeavour to secure the approbation of Parliament to this understanding.

James hesitated to take the required oath to the enlarged Spanish demands, and in particular was piqued that the oath of the Council was required to support his own promise. Then, too, he was beginning to appreciate the grave danger inherent in extending so largely the liberties of the English Catholics. On July 17, 1623, Conway wrote to Buckingham that James "foresaw an infinite liberty and a perpetual immunity granted to the Roman Catholics; which if it should bring them to a dangerous increase, or encourage them to the acting of insolencies, his conscience opposeth his wisdom of government, and his sovereignty" would be endangered. Nor did the King feel that it would be possible to secure the approval of Parliament to such a policy. And, for that matter, the now undecided James felt, "neither did his affection and reason incline him to exercise his power that way if it were in his hand."²

The King, however, had begun to entertain grave fears for his son's safety, and, yielding to his importunities, James induced the Council to subscribe to the required article. At

¹ The summary of the completion of the negotiations regarding religion (pp. 103-104) is largely based on Gardiner's exhaustive treatment; *vide* his *History of England*, V. ² Quoted by Gardiner, *History of England*, V, 64.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

about the same time the public articles of the treaty were signed. The King had engaged himself to permit the Infanta to bring a retinue of twenty-five ecclesiastics, who should not be subject to English law, and who were obviously intended to minister to larger spiritual needs than those of the convent-bred Spanish princess. James had further agreed that a public church should be erected at the queen's place of residence, and that English Catholics would be permitted to repair there for worship.¹ In a private agreement the King had further pledged that the laws against the Catholics should be permanently relaxed; that English Catholics should be allowed freedom of worship in their own homes; that no attempt should be made to convert the Infanta; and that pressure should be brought to bear on Parliament to secure its assent to both the public and the secret articles.²

James had by these commitments conceded far more than his Catholic subjects had hoped for in their most optimistic dreams. But his policy was in reality to be fatal to the cause of Catholic toleration. Once more it had been demonstrated to the satisfaction of England that Catholicism was synonymous with dreaded Spanish interference in English affairs. A fresh suspicion of disloyalty was to descend upon the English Catholics. Everything that the King had promised ran directly counter to the dominant sentiment in and out of Parliament. James might have gained a great deal for the Catholics by steady devotion to the principle of moderation for all dissenting groups and by a disavowal of all persecution. But it was little short of madness to attempt to repress Protestant nonconformity with the one hand while violating public opinion by concessions to the Catholics with the other. By his policy he had raised Puritanism into a position of leadership in the struggle of English Protestantism to free itself from the eternal threat of a Roman Catholic revival. It was to be disastrous to the Stuarts when the fears of men for their religion became fused with their fears for their political liberties.

The extent to which James had surrendered to Spanish domination was evidenced at once, for the Spanish insisted

¹ Frankland, *Annals*, 78-79; Rushworth, *Historical Collections*, I, 86-88.

² Frankland, *Annals*, 80; Rushworth, *Historical Collections*, I, 88-89.

upon the immediate execution of the articles which guaranteed religious toleration to the Catholics. James proposed that the Attorney-General should issue instructions to the justices to refrain from further prosecutions of the recusants. But the Spanish ambassador insisted that relief should likewise be extended to convicted recusants who were at the time paying, or who were liable to the payment of, recusancy fines.

For some weeks there was considerable doubt about the precise form of the relaxation. Yonge relates that "Mr. Style told me that, meeting one of the Crown Office as he came from London into Devon, he told him that the king purposeth to grant general pardons to all recusants, but not to any other; for these pardons do only concerns matters of recusancy."¹ One of the justices seems to have understood that no recusant could be indicted under any circumstance.

It was finally determined in August 1623 that a general pardon should be issued under the Great Seal relieving all Roman Catholics who had been convicted of recusancy in the past, or who were liable to conviction.² At the same time a Declaration of Indulgence was to be issued which suspended the operation of the penal laws. The Declaration stated that in view of the proposed marriage between Charles and the Infanta, and out of respect for her religion, the King had resolved to reward the loyalty of his Catholic subjects by a mitigation of their condition. They were to be freed from the effect of all laws which penalized them for the exercise of their religion so long as their worship was confined to their private houses and was conducted without noise or public scandal. They were to have precisely the legal status of any other subjects. The hope was expressed that in consideration of this leniency, they would be moved to even greater loyalty and devotion to the State, and the present policy might thereby be vindicated.³

Meanwhile, Charles was suffering further humiliations at the hands of the Spaniards, and on September 2, 1623, he left

¹ Yonge, W., *Diary*, 69.

² *Harl. MSS.* (B.M.), 4761, 43. Cf. *Add. MSS.*, 35832, 79. There are numerous copies of the order, with slight textual variations. *Vide* also the *Kenyon MSS.* copy (*H.M.C.*, 14th Report, App., iv, 27).

³ *Tanner MSS.* (Bodl.), lxxiii, 368; *vide* also the texts, *Add. MSS.* (B.M.), 28640, 38, and *Harl. MSS.*, 1583, 287.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Madrid to begin the journey home. His enthusiasm for the marriage alliance had cooled perceptibly by the time of his departure and when he reached England in early October he poured out to the King a bitter tale of denunciation of all things Spanish.

Williams, the Lord Keeper, had in August sensed that there was considerable doubt that the marriage would ever be consummated and resolved to delay in every possible manner the execution of the Pardon and the Declaration of Indulgence. The documents were prepared and Williams informed the Spanish ambassador that they would be published directly news of the marriage reached England. The Spanish envoy complained bitterly to James of the cupidity of Williams, and James was obliged to order him to carry out the policy. But the Lord Keeper was playing a desperate game while awaiting the return of the prince. He found himself unable to issue the writ because of the press of business, and he warned James of the wrath of Parliament if the documents were made public.¹ A few days later Charles landed at Southampton.

During these months public feeling had been very tense in England. The conviction was generally held that England was to be sacrificed to Rome. The churches were never more crowded, men and women flocking to them to pray for delivery from the danger which they felt threatened both the Church and State.² The most determined efforts of the Government could not stop a flood of abuse and protest in anonymous pamphlets which appeared on the bookstalls and the origin of which could not be traced. One of these deserves particular attention. The pamphlet was in the form of a letter supposedly written by Archbishop Abbot protesting to the King in the strongest terms against any toleration for the Catholics. The letter was almost certainly a forgery, but the archbishop was reluctant to make a public denial of the sentiments which it contained, since they happened to coincide with his own views; and the general opinion obtained that Abbot had really been responsible for the libel.³ The letter made Abbot say that he

¹ Rushworth, *Historical Collections*, I, 62-63.

² Ranke, *History of England*, I, 515.

³ There is still considerable doubt about the source of this letter. The 106

had been silent for too long and that he had neglected his duty both to God and to the King. The time had come for plain speaking. "Your majesty hath propounded a toleration of religion: I beseech you, sir, take into your consideration what the act is, next what the consequences may be. By your act you labour to set up that most damnable and heretical doctrine of the Church of Rome, the whore of Babylon." It will be hateful to God and a grievous wrong to England if the King, who has written so learnedly against heretics, should now become "a patron of those doctrines which your pen hath told the world, and your conscience tells yourself, are superstitious, idolatrous, and detestable." The writer rebuked James for having permitted Charles to go to Spain and warned him that those who counselled such a desperate action would not be permitted to go unpunished. No toleration could be extended to the Catholics without an act of Parliament unless the King was willing to tear down the laws of the land. Such a toleration would draw down upon the King the disfavour of God and the wrath of his subjects.¹

The Venetian ambassador had watched the marriage negotiations with amazement and no little apprehension. A few days after Charles's return he wrote that "some consider it unlikely that the Spaniards would keep going for so long a comedy which might easily have a tragic ending, and result in bloody enmity." He realized that England was fanatically opposed to any general liberty for the Catholics. But he was afraid that James's weakness—he described him as "one incapable of wrath and bound to suffer every indignity"—would lead eventually to the granting of the Spanish demands. In that case he seems to have expected a revolution for which he held Spain

tone is far too cold and threatening for Abbot to have taken, and it should be borne in mind that his position and influence had been seriously weakened by the accidental homicide incident. Heylyn (*Cyprianus Anglicus: or, the History of the Life and Death of [William Laud]* (1668), 111-112) said categorically that Abbot was not the author. In two contemporary copies (*Tanner MSS.*, lxxiii, 247) the document is called a speech. There are a wide variety of texts, which lends further weight to the belief that it was a forgery. It should be remembered, too, that Abbot had signed the marriage articles, though under protest. Hacket held that "the letter crept out of darkness thirty years after the prince came out of Spain," and twenty years after Abbot's death.

¹ Fuller, *Church History*, V, 547-549.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

responsible. "The Spaniards will be guilty before God, . . . of having brought absolute ruin upon the Catholic religion here by their feigned negotiations, or at least of exposing it to the peril of a most cruel persecution, . . ."¹ The King continues on his fatal course and is expected to grant additional liberties to the Catholics. The Catholics now enjoy large liberties and their opponents have been silenced. Thus the King proposed to punish one of his preachers who spoke in his sermon concerning "the idol of the mass."²

(4) *Collapse of James's Policy (1624); Parliamentary Criticism*

But Valaresso had not reckoned with the almost incredible shift in English policy which was in progress even as he wrote. The careful planning of many years and the innumerable humiliations which James had suffered at the hands of Spain in order to bring about the marriage had been in vain. For Charles had returned bitterly antagonistic to Spain and to the proposed union. At once difficulties were raised. Bristol was instructed to demand that the dowry should be paid in full and to require Spain to restore Frederick in the Palatinate before the marriage should take place. The entire structure of the treaty crumbled immediately, and James was able to face his last Parliament, which assembled on February 19, 1624, with a policy which, for the moment, could be accepted by the popular leaders.

James's opening speech was tantamount to a confession of failure. Respecting religion, he said, "I pray you judge me charitably as you would have me to judge you; for I never made public nor private treaties, but I always made a direct reservation for the weal public, and cause of religion, for the glory of God, and good of my subjects." He had at various times thought it wise to relax the penal laws. This policy, he said with almost complete untruthfulness, had dominated his actions in the negotiations with Spain—"to dispense with any, to forbid or alter any that concern religion, I never promised or yielded; I never did think it with my heart, nor speak it with my mouth. It is true, a skilful horseman doth not always use the spur; but must sometimes use the bridle, and sometimes the spur. So a

¹ *Valaresso to Doge and Senate*, October 13, 1623, *V.P.*, xviii, 131.

² *Birch, Court and Times of James I*, II, 419, 424; *V.P.*, xviii, 131.

king, that governs wisely, is not bound to carry a rigorous hand over his subjects upon all occasions, but may sometimes slacken the bridle, yet so as his hands be not laid off the reins."¹

The Parliament reflected the existing fears of the country and was not willing to accept the King's explanation of the high policy which had dictated the recent toleration of popery. One of the first actions of the House of Commons was to introduce a bill which sharpened the penalties for recusancy. Serious complaints were raised against the prevailing laxity, and it was charged that the titular Bishop of Chalcedon was illegally active in consecrating priests, appearing in his episcopal vestments in public places, and holding public services. The Venetian envoy wrote, "I do not think they will go further with the Catholics than to take away their arms, and certainly, as I insist when I have an opportunity, moderation towards them will deprive the Spaniards of a notable advantage and a pretext whereby they could convert into a war of religion for their own benefit every movement made from this quarter either to recover the Palatinate or to avenge the injuries received."²

Parliament in its present mood could not be expected to see the advantages which might be gained by at least a partial toleration for the Catholics. The members felt that the fabric of Protestantism in England had been gravely endangered, and they were in no temper for further experimentation along lines either of policy or of lofty idealism. They saw that Catholicism both abroad and in England was asserting itself aggressively and they were determined to raise once more the safeguards of the penal laws. James was endeavouring to exhibit his customary leniency in order to prevent serious political consequences abroad,³ but he was not in a position to dictate at home. Once more Roman Catholicism had become synonymous with treason.

On April 3, 1624, Parliament petitioned for a full enforcement of the penal laws against recusants and demanded "that upon no occasion of marriage or treaty, or other request in that

¹ *L.J.*, III, 210.

² *Valarezzo to Doge and Senate*, March 22, 1624, *V.P.*, xviii, 249.

³ *V.P.*, xviii, 263 (April 5, 1624); *James to Conway*, Rushworth, *Historical Collections*, I, 140.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

behalf from any foreign prince or state whatsoever, you will take off or slacken the execution of your laws against the popish recusants.”¹

The parliamentary leaders had placed the King in a difficult position. Charles and Buckingham were popular with Parliament, and had no desire to arouse popular wrath further. A straightforward rejection of the demands would excite the suspicions of Parliament and destroy the existing harmony. On the other hand, James was now courting French aid for the Palatinate and was considering the possibility of a marriage alliance for his son in France. To resume a repressive policy towards the Catholics would gravely endanger the success of his hopes in that quarter. Then, too, he was loath to enter the Thirty Years’ War if either his domestic or his foreign policy should turn that conflict into a war of religion.²

James therefore determined upon an evasive reply to the petition. He declared his regret that Parliament should have regarded it as necessary to call upon him to do his duty. He had refrained from persecution, because “I have ever thought that no way more encreased any religion than persecution.”³ But he shared their alarm at the increase of popery, and he now stood ready to banish the priests and to execute the laws. In conclusion, he promised that he would make no pledge of immunity to the Catholics in any marriage treaty.⁴

This unsatisfactory commitment seems to have satisfied Parliament, for the faith of the members in the King had been so shaken that his faint-hearted promises appeared as a victory for Protestantism. It was evident to all observers that the King’s reply had been ambiguous and that it had been made largely to quiet the outcry of the members. The Catholics were somewhat alarmed; some of them were retiring from London, and the Spanish raised the cry of persecution, though it was generally felt that the Romanists were in no immediate danger.⁵ The fact was that within a few weeks after solemn pledges had been given in Parliament, the King was well on the way to violating them in his negotiations for a French marriage alliance.

¹ Rushworth, I, 143.

² Gardiner, *History of England*, V, 209.

³ Rushworth, *Historical Collections*, I, 143.

⁴ *Ibid.*, I, 143-144; *V.P.*, xviii, 303 (May 10, 1624).

⁵ *V.P.*, xviii, 300.

c. *The French Marriage Treaty, 1624-1625*

The suit for the hand of Henrietta Maria began in May 1624 when Kensington and Carlisle were sent to Paris to undertake the negotiations. Almost immediately the religious difficulty arose when the French demanded that some consideration for the English Catholics be shown in the articles. James had been firm in his initial instructions to his agents: "the constitution of our estate cannot bear any general change or alteration in our ecclesiastical or temporal laws touching religion for so much as concerns our own subjects." James then stressed an important fact when he added that it was far better for the English Catholics to trust to royal clemency than to depend upon alien influence which might be exerted in their behalf. "For when they shall have the reins loosed to them, they may, by abuse of favour and liberty, constrain us, contrary to our natural affections, to deal with them with more rigour than we are inclined to; so as we may not article for dispensation and liberty to our Roman Catholic subjects, but hold the reins of those laws in our own gracious hands. And you may assure that king and his ministers that, in contemplation of that marriage, we shall be the rather inclined to use our subjects Roman Catholics with all favour, so long as they shall behave themselves moderately; and, keeping their consciences to themselves, shall use their conversation without scandal."¹

The French representative, however, would accept nothing less than some guarantee on the model of the Spanish articles. The English refused even to discuss these terms and for a few days it looked as though the negotiations would be fruitless. At this juncture the Marquis de Effiat, the new French ambassador in London, intervened. Effiat felt that the Pope could be persuaded to grant the necessary dispensation on much less humiliating terms than Spain had wrung from England.² In fact, he had little sympathy with the English Catholics, whom he regarded as pro-Spanish, and who were, at the moment, trying to dictate the terms of the marriage to him.³

¹ Quoted from *Harl. MSS.*, 1584, 10, by Gardiner, V, 250.

² *V.P.*, xviii, 399 (July 26, 1624).

³ "The Catholics here can never unSpanish themselves" and they speak to Effiat "in very cavalier fashion, practically demanding that France, as no less Catholic than Spain, shall obtain equally favourable conditions" (*V.P.*, xviii, 399).

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

The French minister, La Vieuville, who was very anxious to conclude the alliance, assured James that his master demanded only an informal statement concerning the Catholics, and that a private letter on the subject would meet Louis's demands. This informal assurance James was prepared to give, but Louis was so far dissatisfied that he dismissed La Vieuville and placed the conduct of the discussion in the capable hands of Richelieu. The cardinal immediately made it clear that France would be satisfied with nothing short of a formal article incorporated in the treaty, promising definite concessions to the Catholics. But James and Charles had been burned by this flame too recently and for the time being the negotiations were at a stalemate.¹

Buckingham was soon won over by Effiat to Richelieu's demands, and Charles yielded a short time later. The prince and the favourite had for some months been really in charge of policy, and their reckless impatience finally wore down the failing King's resistance. On September 13, 1624, the Venetian ambassador in Paris wrote, "The religious question in the English match has been settled in this way. The King and the Prince of Wales promise in a separate written document, which the Secretary of State will also sign, that the Catholics of the kingdom shall enjoy the same privileges and exemptions" which had been stipulated in the Spanish treaty. "They shall be allowed to live in the profession of their faith, without molestation, and shall not be persecuted or compelled in any matter of conscience. A point which created great difficulty, was the desire here that they should promise the Catholics the free exercise of their religion. The English would not listen to the word exercise, and so the word profession was found instead."²

This understanding made it well-nigh impossible for the Government to face a hostile and curious Parliament, and the Houses were prorogued until February 26, 1625. On December 12, 1624, the public marriage treaty and the

¹ This summary follows Gardiner's detailed account, to which very little can be added.

² *Marc' Antonio Morosini to Doge and Senate, September 13, 1624, V.P., xviii, 438.*

private agreement respecting religion were signed by Charles and James.¹

Almost immediately the effects of the treaty became apparent. In late December it was reported that the Catholics were returning to London and Catholic services were being held quite openly. A few days later work began on the construction of the chapel which had been guaranteed for the Queen's use, and the recusancy laws were not being enforced, though no formal orders had been promulgated for their relaxation.² On February 17, 1625, the Venetian ambassador wrote that by orders under the Great Seal all of the Catholic prisoners who could furnish bail had been released, and that steps were being taken to arrange for the release of those still in custody. At the same time, instructions had been forwarded to the justices to desist from the enforcement of the penal laws.³ An attempt was made to conceal the revolutionary character of the new Catholic policy to which the Government had formally committed itself when it was arranged that the recusancy fines should still be paid to a commission which would immediately repay the sums thus collected.

The policy which Charles had undertaken could not, of course, withstand the first impact of public opinion and parliamentary criticism. The prince and Buckingham had been largely responsible for commitments which were in flat contradiction to the King's promises given in Parliament only a few weeks earlier. James had promised that the penal laws would

¹ The text of the agreement follows: "I, the undersigned, Charles, Prince of Wales, after having seen the promise of . . . my . . . father, and in conformity with it, promise . . . both for the present and the future, in everything that is and shall be in my power, that, . . . I will promise to all the Roman Catholic subjects of the crown of Great Britain the utmost liberty and franchise in everything regarding their religion, which they would have had in virtue of any articles which were agreed upon by the treaty of marriage with Spain, not being willing that the aforesaid Roman Catholic subjects should be disquieted in their persons and goods for making profession of their aforesaid religion, and for living as Catholics, provided, however, that they use the permission modestly, and render the obedience which, as good and true subjects they owe to their king. I also promise, through kindness to them, not to constrain them to any oath contrary to their religion. . . ." (Gardiner, V, 277-278, from the *Harl. MSS.*, 4596, 144.)

² *Pesaro to Doge and Senate*, London, January 3, 1625, *V.P.*, xviii, 529.

³ *V.P.*, xviii, 551 (January 17, 1625).

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

be enforced, and they had been completely relaxed; he had promised that no religious concession would be made in the marriage treaty, and he had in fact permitted France to dictate the religious articles in the treaty. Such duplicity was gravely to weaken Charles's prestige and was to excite suspicions of his devotion to the Church of England which, while largely unfounded, were never to be dispelled. Once more Catholic liberty had been delayed through its identification with the influence of a foreign power. Toleration for the Catholic minority could only be achieved through a careful leadership and cultivation of public opinion by a Government which was known to be thoroughly Protestant, and which based its policy upon either political or abstract considerations which allowed liberty of worship to all dissenting groups. England was rightly suspicious when any attempt was made to enlarge the liberties of the Catholics while the repression of Protestant nonconformity went on relentlessly.

II

THE DOMINANT GROUPS, 1625-1640. DEVELOPMENT OF GOVERNMENTAL AND ANGLICAN THOUGHT WITH RESPECT TO RELIGIOUS DISSENT

A. GENERAL RELIGIOUS POLICY AND THE PROBLEM OF PROTESTANT DISSENT

I. THE BEGINNINGS OF ANGLO-CATHOLICISM (ARMINIANISM), 1625-1629

a. Definition

The accession of Charles I offered little hope to the Puritans and the dissenting groups within English Protestantism. For various reasons, which we have already noticed, Puritanism was becoming stronger and the strange aberrations of religious policy which James had begun, and which Charles was to continue, had caused many Englishmen to identify Puritanism with the historical Church of England. This tendency was greatly accelerated during the early reign of Charles I by the growing identification of the official policy of the Church with a minority group of leaders within it who have been called, more or less inexactly, the Arminians.

We shall indicate in later pages that this group in no sense represented the true position of the Dutch Arminians, and it would seem desirable to refer to it rather as the Anglo-Catholic party.¹ We shall develop the views of this group later, but it

¹ It is difficult to find a name for the party which describes it accurately. As we have indicated, it was certainly not Arminian, and its leaders disliked and disavowed the title. And, we shall undertake to show, it was not Anglican in the historical meaning of the term. It has occasionally been described as 'Laudian,' but this term would seem to limit it too narrowly and to deny to it the fairly large place which it came to hold in English thought. We have, with considerable misgivings, described the group as 'Anglo-Catholic,' a term which, it would seem, most accurately denominates the general religious philosophy of the party. It should be understood that no association, organic or otherwise, is implied to exist with either nineteenth-century or contemporary Anglo-Catholicism, though the latter group apparently tends to find, in some particulars at least, precedents for its thought in the writings of the seventeenth-century party.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

would seem well at this point to indicate generally its position on the pressing religious questions of the day and to estimate its place in the communion of the Church of England.

The Anglo-Catholic party undertook to deny the historical fact that the Elizabethan Settlement was Protestant in character and that the Church had been, thus far at least, Calvinistic in its doctrinal teachings. The leaders of the party leaned as far as they could towards Rome without bursting the constitutional framework of the Church. They taught that the Church of Christ was a well knit, clearly defined, universal body of which the Church of England was one branch. They contended that the English priesthood had, through continuous ordination, a share in the general validity of the priestly function which the Roman Church likewise enjoyed. They exalted the position of the priest and tended to augment his authority over the instrumentalities of salvation. They caused a profound rupture both with the historical position of the Church of England and with every Protestant body abroad by insisting that episcopacy was divinely ordered and by enhancing the power of the bishops in the Church.

The Anglo-Catholics likewise tended to create a schism within the Church of England by veering towards Rome in their doctrinal pronouncements. They followed the Arminians in the denial of the Calvinistic doctrine of predestination, but in so doing they aimed not so much at a liberalizing of Protestant dogma as at an elimination of one of the chief doctrinal differences which separated Protestantism from Rome. In Holland free-will meant toleration and moderation; in England the Anglo-Catholics would make it the weapon of a coercive and despotic ecclesiastical system. The liberalizing of Protestant dogma in England was a contribution, not of the Anglo-Catholics, but of the dissenters. The party likewise aped Rome in its devotion to ritual and ceremony, and in so doing broadened the breach between the Church and the Puritans. They distrusted the fundamental Protestant teachings of the right of private judgment and the necessity for every man to find religious truth for himself. They were determined to re-establish ecclesiastical authority and to check the anarchistic tendencies inherent in the Protestant religious teachings.

The Anglo-Catholic party was never in our period more than an insignificant minority in the Church of England and would probably have had negligible influence within the Church had it not been for the fact that throughout the reign of Charles I they were in firm alliance with the Crown. James I was a staunch Calvinist in his doctrinal beliefs and had held the party firmly in check. But Charles found himself in partial agreement with their doctrinal position and wholly in accord with their political teachings. There is sufficient evidence to warrant the charge that the leaders of the party deliberately sought an alliance with the Crown in order to gain the necessary support for carrying out their theological programme. Montague's conclusion to the *Appello Caesarem*, "defend thou me with the sword and I will defend thee with the pen," expresses succinctly their sentiment in this connection. By their adoration of the power of the Crown "they were turning religion into a systematic attack on English liberty."¹

The alliance of the Crown with the Anglo-Catholic party laid the certain basis of revolution. The increasing tendency of the party to force the Church into channels which seemed to lead to Rome and their attempts to modify an ecclesiastical and doctrinal structure which was now two generations old drove pious and thoughtful Englishmen into the camp of Puritan extremists. The Anglo-Catholic party destroyed the moderates in England. And their support of political absolutism resulted in a fusion of political and religious discontent which was to sweep away at once their religious pretensions and the crown which they had striven to exalt.

b. The Attack of Parliament on Anglo-Catholicism; Hostility of English Opinion, 1625-1626

The intense hatred of the mass of Englishmen for the Anglo-Catholics was first to be displayed shortly after Charles's initial Parliament was convened on June 18, 1625. The Houses turned from a consideration of the Roman Catholic problem² to a bitter attack upon a book published by Montague a year

¹ Green, J. R., *History of the English People*, IV, 244.

² *Vide post*, 169-171.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

earlier.¹ The work was called *A New Gagg for an Old Goose* and was actually a rather timid and exploratory exposition of the Anglo-Catholic position. Montague attacked the orthodox doctrine of predestination and contended that though the Roman Church was corrupt it was part of the fold of Christ in which salvation might be found.² He looked with mild disfavour upon the doctrine of transubstantiation, but applauded the Roman use of images and pictures in worship. Montague had followed this work with his *Appello Caesarem*, which the Commons found even more reprehensible because of its strongly Erastian flavour. The work taught implicit obedience to constituted authority and contended that the Anglo-Catholics represented the true Church of England.

On July 7, 1625, the Committee for the House brought in a report on Montague's works. The Commons did not at the moment feel qualified to attack the doctrinal teachings which he had set forth, and determined to postpone this portion of the investigation "till some more seasonable tyme."³ The more easily proved charges of dishonouring the late King, disturbing the peace of Church and State, and treating the privileges and rights of Parliament with contempt were rather urged against him.⁴ He had called the Puritans worse than Papists, but, as a member pointed out, he apparently regarded all true Anglicans as Puritans.⁵ The parliamentary leaders sought to steer the discussion away from the theological issues involved but were unable to restrain the thoroughly Erastian Coke, who bluntly

¹ Richard Montague (1577-1641) was an undistinguished clergyman before this attack. He was educated at Eton and Cambridge, and in 1613 was elected a Fellow of Eton College and was given a living at Stanford Rivers, Essex. In 1616 he was appointed Dean of Hereford, a post which he exchanged in the following year for a canonry of Windsor. Shortly afterwards he was appointed a chaplain to James I. Montague's controversial works appeared 1623-1626, and their advanced and unmitigated hostility to Calvinism made him for some months the focus of the Puritan attack. Despite his general unpopularity he was consecrated Bishop of Chichester in 1638, and a decade later he was translated to the important bishopric of Norwich.

² Montague, *A New Gagg*, 53.

³ Gardiner, S. R., *Debates in the House of Commons in 1625*, 47.

⁴ Rushworth, *Historical Collections*, I, 174.

⁵ "If Puritans be so bad, it were good wee knew them. But Mr. Mountague leaves this uncertayne, for by his opinion we maye be all Puritans." (Gardiner, *Debates*, 49.)

insisted that "the civill courtes ought to have a care of the peace of the Church," which, he charged, Montague had violated.¹

After a lengthy discussion the Commons voted to commit Montague to prison for his offence,² and a committee of both the Houses was appointed to confer with the King concerning the case. To the amazement of Parliament, which had displayed singular unanimity in the discussions, the committee was informed that the hitherto obscure Montague had been made a royal chaplain and that it was the King's desire that he should be set at liberty.³

The Commons did not accept this forbidding action gracefully. The debate on the Anglo-Catholic question was resumed and Montague was unsparingly attacked. Coke warned the members of the dangers which the party offered to the unity of Church and State. Sir Robert Phelips spoke bitterly against the transparent device by which Montague had been protected. Wentworth alleged that the now royal chaplain had trampled upon the Bible, and reminded the members that truly pious kings had always been its champions. Drake held that the Anglo-Catholic teaching was more dangerous than popery since there was no law against it and since it was more difficult to ferret out.⁴ The discussion was checked at this point by the sudden adjournment of Parliament. At the moment when these debates were in progress, Gardiner says, Laud, Houson, and Buckeridge were as bishops defending Montague. They pleaded the moderate policy of the Church of England in leaving undefined scholastic points of doctrine and argued that it would be a popish violation of conscience to compel men in these matters.⁵ The Anglo-Catholics were consistently to maintain this view, but in so doing they made very little contribution to the development of toleration since they sought to suppress doctrinal tenets which English Protestantism regarded as essential, and since they sought to force upon the Church practices and ceremonies which the mass of men regarded as popish. Laud would have made Convocation the absolute authority for the faith of England and would have preferred to suppress all opinions which it did not approve. But he did not dare advance

¹ Gardiner, *Debates*, 52.

⁴ *Ibid.*, 69-71.

² *Ibid.*, 53.

⁵ Gardiner, *History of England*, V, 401.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

this position until his party had secured the full approval of the King and had gained control of the episcopacy.¹

In the second Parliament (February 6, 1626–June 15, 1626) the attack on Montague and the Arminians was resumed. It was charged that Montague had “endeavored to reconcile England to Rome, and to alienate the kings affections from his well-affected subjects.”² Strong representations were made against the Anglo-Catholics and it was determined to punish the chaplain. Before the Lords could concur, however, the short session was ended.³

The attack on Montague and his party had spread to the pulpits and to the pamphleteers and a highly acrimonious controversy had broken out. The Anglo-Catholic clergy were savagely attacked and were charged with a deliberate purpose of restoring England to the Roman fold. England was warned that she had little to fear from her open foes,

“But these false faigned friends have truth undone.
Oh vipers most unnaturall; thus to teare
The bowells of that mother, held you deare.”

The Arminians are

“Wolves in sheepe’s clothing, [who] worry all thy sheepe.
Who, almost, cares which way religion bends,
So they may compasse their ambitious ends.”⁴

The Government sought to check these libels by a proclamation prohibiting religious disputes.⁵ As Rushworth has said, “The effects of this proclamation how equally soever intended, became the stopping of the Puritan mouths, and an uncontrolled liberty to the tongues and pens of the Arminian party.”⁶ At the same time, the King sought to quiet the suspicions which his policy had engendered by pleading for peace and unity in the Church. He urged that the Church and State were so closely knit together that in many respects they might be

¹ Laud, W., *Works* (ed. W. Scott and J. Bliss, Oxford, 1847–1860), VI, 244.

² Rushworth, *Historical Collections*, I, 209.

³ Gardiner, *History of England*, VI, 64–65.

⁴ R., I. (J.) [John Rhodes?], *The Spy discovering the danger of Arminian heresie and Spanish trecherie* (Strassburgh [London?], 1628), C 1.

⁵ The text may be found in Rushworth, *Historical Collections*, I, 412–413.

⁶ *Ibid.*, I, 413.

considered as one. "This neerenesse makes the church call in the helpe of the state, to succour and support her, whensoever shee is pressed beyond her strength . . . and now the state lookest for the like assistance from the church, that she, and all her ministers, may serve God and us, by preaching peace and unity at home, that it may bee the better able to resist forraigne force uniting and multiplying against it."¹

c. Anglo-Catholicism Excites General Hostility; Development of Erastianism in Parliament; Growth of Puritan Intolerance, 1628-1629

But the discontent and distrust were too great to be appeased by proclamation and royal appeals for unity. It was becoming evident as early as 1628 that by unity the Anglo-Catholic leaders meant the imposition of their minority views upon the Church at large. When Parliament was convened again in March 1628 the attack on the Anglo-Catholics was renewed. Sir John Eliot reminded the Commons that religion in England was in danger. There were those in the Church of England who desired to lead her back to Rome. He urged upon the members the view that political and religious liberties were equally endangered by the arrogant pretensions of these men.² Directly the constitutional discussions leading up to the Petition of Right had been disposed of, the House turned its thunder upon one of the chief supporters of the prerogative in Church and State, Dr. Roger Manwaring. On June 9th, Pym carried to the Lords a long charge of impeachment based upon the divine's political views as recently expressed in his sermons.³ Pym charged Manwaring with a deliberate attempt to dissolve the framework of the laws and constitution of England. He scrupulously avoided reference to his objectionable theological

¹ *Instructions directed from the Kings Most Excellent Maiestie, vnto all the Bishops of this Kingdome, and fit to be put in execution, agreeable to the necessitie of the Time* (London, 1626), no pagin.

² Eliot was typical of a group of able and moderate men who remained in the Church and who were devoted to its doctrine and philosophy. But he regarded the Anglo-Catholic efforts to remould the Church as hateful and ruinous (Forster, John, *Sir John Eliot* (L., 1865), II, 408). He bravely resisted every effort to enforce any type of compulsion upon conscience.

³ Rushworth, *Historical Collections*, I, 595-604.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

opinions, over which Parliament had no direct jurisdiction, but it was evident that another frontal attack was to be made upon the Anglo-Catholics. The Lords sentenced Manwaring to imprisonment during the pleasure of the House, fined him £1,000, required him to acknowledge his offences before both Houses, suspended him for a period of three years, and permanently disabled him from preferment and from preaching at court.¹

Not content with the harsh censures which it had voted against this Anglo-Catholic leader, Parliament added to its remonstrance against Buckingham's ministry a clause of protest against the "dayly growth and spreading of the faction of Arminianism", which is "but a cunning way to bring in popery." It was alleged that the leaders of the faction were encouraged and advanced, and that several of them, including Neile and Laud, were "justly suspected to be unsound in their opinions that way."² They have been encouraged in every way while the work of orthodox ministers has been deliberately hindered and suppressed.

Sir Edward Dering held that the King's proclamation prohibiting religious controversy and the censorship which the licensing system had imposed were deliberately designed to deliver the Church to the Arminian party. He compared these restraints to the popish Index, which clips "the tongues of such witnesses whose evidences they do not like; in like manner . . . our licensers suppress the truth, while popish pamphlets fly abroad *cum privilegio*; nay, they are so bold as to deface the most learned labours of our ancient and best divines. But herein the Roman *index* is better then ours, that they approve of their own established doctrines; but our innovators alter our settled doctrines, and superinduce points repugnant and contrary."³

A wise ruler would certainly have been warned by the almost unanimous opposition which the Commons had displayed towards the Anglo-Catholics. But Charles was attracted at once by the support which the party gave to his political views and by the fact that the group was prepared to undertake the extermination of the growing menace of Puritanism. Parliament had scarcely been prorogued (June 26, 1628), therefore, when

¹ Rushworth, *Historical Collections*, I, 604-605.

² *Ibid.*, I, 621.

³ Neal, *The History of the Puritans*, I, 508.

he deliberately offended the sentiments of the nation by advancing the Anglo-Catholic leaders. The tyrannical Neile was translated from Durham to Winchester, and the generally detested Montaigne from London to York. Laud was translated to London, while Houson, a man of little distinction, save that he was Laud's chief supporter, was given the see of Durham. Buckeridge was sent to Ely and, as if Charles had determined deliberately to insult Parliament, Montague was given the see of Chichester on July 8, 1628. At the same time, Manwaring was fully pardoned and was given the rich living at Stanford Rivers just vacated by Montague.

These changes, by which the key bishoprics were granted to the leaders of a distrusted minority faction, seemed to prove conclusively the charges recently made in Parliament that a deliberate programme was under way by which the leadership of the Church was to be invested in the Anglo-Catholic party. As Gardiner has well said, "The Puritans must be made to understand that they had no standing ground in the English Church; and how could that be brought more clearly before their eyes than by the promotion of a man [Montague] who openly declared them to be a usurping faction?"¹

The Puritans were greatly disturbed by these developments. They saw the Church to which they were still devoted returning, under Anglo-Catholic leadership, more and more closely to the traditions of Rome.² The alliance of the Crown with this faction had found Puritanism badly organized; it was to take almost a generation of incessant repression to weld it into a powerful and hostile party.³

Nor were these fears confined to the Puritans. The main body of Anglicans, who had been reared in a moderate, comprehensive Church structure but who were in doctrine thoroughly Calvinistic, were equally convinced that the King intended to deliver the Church over to the Anglo-Catholics.⁴ This great

¹ Gardiner, *History of England*, VI, 330.

² Piette, Maximin, *La réaction de John Wesley dans l'évolution du Protestantisme* (Brussels, 1927), 138.

³ *Ibid.*, 139.

⁴ Clarendon observed that during the period of Anglo-Catholic supremacy the nation was generally loyal to the Church of England, but was strongly opposed to any innovations and quick to attack such changes as might lead to a return to popery. (*History of the Rebellion* (Oxford, 1888), I, 194.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

group had little taste for Puritan extremism, but when the issue was finally joined they tended to prefer its militant Protestantism to the unorthodox doctrinal position of the English Arminians.

Many in Charles's Council realized that a crisis was rapidly developing and urged the King to exercise caution in offending so outrageously the religious sentiments of his people.¹ Heath, the Attorney-General, wrote to Montague shortly after his elevation to the episcopacy warning him against stirring up further strife. "You are now a father of our church; and, as a father, you will, I know, tender the peace and quiet of the church. Alas, a little spot is seen on that white garment, and a little fire, nay a spark, may influence a great mass; . . . we are bound in conscience to prevent, nay, to avoid, all occasions of strife and contentions in those things specially which are so tender to the peace of the church and the unity of religion."² He begged the new bishop to review his book and to soften the harshness of his strictures against the Puritans, and to explain more clearly the points wherein he appeared to dissent from the Church of England.

Parliament re-convened in January 1629 in an ugly temper. The King's favour to the Anglo-Catholic leaders had not passed unnoticed. "The people want the punishment of those who have introduced new sects. Some of these, who are bishops, foreseeing disaster, obtained a general pardon from the king before Parliament met."³ Parliament had by this time identified the Anglo-Catholic movement with Romanism and was grimly determined to destroy the party despite the known sentiments of the King.⁴ The veteran Nethersole wrote early in the session, "In matter of religion they are quiet as yet; for it is early days. But the greatest business is like to be about that, notwithstanding His Majesty hath called in Montague's book by a special Proclamation. . . . His Majesty hath also granted his pardon to Montague, Cosin, Manwaring, and Sibthorpe. But that will hardly save some of them."⁵

On January 26, 1629, the storm broke when the Commons

¹ *V.P.*, xxi, 262 (September 2, 1628).

² *S.P. Dom.*, *Charles I*, cxviii, 33.

³ *V.P.*, xxi, 551 (February 23, 1629).

⁴ *Ibid.*, xxi, 537 (February 16, 1629).

⁵ *S.P. Dom.*, *Charles I*, cxxxiii, 4.

resolved to "proceed . . . with matters of religion, and particularly against the sect of Arminians." Francis Rous rose to say that the religion of England was in grave danger. He flayed the Anglo-Catholics; "new paintings are laid on the old face of the whore of Babylon, to make her shew more lovely, and to draw so many suitors to her. . . ." This faction is eating at the very vitals of religion and the House of Commons must "look into the very belly and bowels of this Trojan horse, to see if there be not men in it ready to open the gates to Romish tyranny, and Spanish monarchy; for an Arminian is the spawn of a papist."¹

Rous was followed by another member who charged that the Anglo-Catholics were traitors to Protestantism. The sect is being propagated by ambitious prelates who want far more than an archbishopric—a cardinalate is the sum of their ambition. If the price of a bishopric is an *appello Caesarem*, England can expect more of these attacks upon Church and State.²

On the following day (January 27) Pym brought in the report of the Committee on Religion, and it was placed at the head of the docket.³ Pym charged that the new disease of Arminianism was now joined to the older one of popery. "It belongs to the duty of a Parliament to establish true religion and to punish false."⁴ Parliament, and not the clergy, has the power to settle and order religion.

The apparent defection of the King and the principal bishops was leading the Commons to claim for Parliament supreme power in religious matters. Sir John Eliot rose on January 29th to defend this Erastian view. The Commons, he said, are not debating theology, for the Gospel is the sole source of religious truth and the Church has embodied that truth in the Articles of Religion. These Articles are not true because they have been confirmed by Parliament, but Parliament has confirmed them because they are true. The King and the Anglo-Catholics would invest the bishops with the sole power to interpret those Articles, and it is evident that the Arminian bishops have an

¹ Rushworth, *Historical Collections*, I, 645.

² Gardiner, *History of England*, VII, 35-36.

⁴ Forster, *Sir John Eliot*, II, 415.

³ C. J., I, 922.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

interpretation of them which differs from that of the Church and Parliament. "It is in the prelates now to order it which way they please, and so, for aught I know, to bring in popery or Arminianism, to which we are told we must submit." Shall we submit our religion to the accident of the views of a Neile or a Laud? He detected in the events of the past few years a dastardly plot to give the Anglo-Catholic party supreme influence in the counsels of the Church and to insinuate revolutionary changes into both ritual and doctrine. The Commons must unite in a firm resolution to stamp out this sinister menace. Then in beautiful prose he reminded the members that "there is a ceremony used in the Eastern Churches of standing at the repetition of the creed to testify their purpose to maintain it, and as some had it, not only with their bodies upright, but with their swords drawn. Give me leave to call that a custom very commendable." The Church of England demands equal devotion in its hour of danger.¹

Thus the Commons had met what they regarded as a threat to the historical teachings and practices of the Church with the assertion that the defence of its Protestant character rested with Parliament. Men now recalled that the legislative step by which the Church had been formed and its character determined had been by acts of Parliament. The meticulous care which the Tudor sovereigns had exercised to clothe their actions with legal propriety was now to bear strange fruit. For it was resolved that the Articles of Religion as established by Parliament under Elizabeth, "which by the publique act of the Church of England, and by the general, and currant expositions of the writers of our church, have been delivered unto us," constituted the true national Church, while Parliament rejected "the sence of the Jesuites and Arminians, and all others wherein they differ from us."²

This resolution was an unvarnished assertion that the Articles of Religion enjoyed the force of law by act of Parliament, and that Convocation was powerless to change or garble them.³ A few days later an attempt was made to define

¹ Forster, *Sir John Eliot*, II, 417.

² Rushworth, *Historical Collections*, I, 649-650; *S.P. Dom.*, *Charles I*, cxxxiii, 27.

³ Gardiner, *History of England*, VII, 41.

even more exactly the doctrinal position of the Church by a consideration of the status of the Lambeth Articles and the Acts of the Synod of Dort. Here, however, it was quickly observed that the Commons were in hopeless disagreement, and their case was rested on the flat assertion that Convocation could not order religion.¹ Eliot shrewdly suggested that though the precise doctrine of the Church could not be fully stated, religious truth could best be preserved by watching the Anglo-Catholics—"let us strike at them, and make our charge at them, and vindicate our truth that yet seems obscure, . . ."² Though there remained some uncertainty about the precise content of the doctrine of the Church, there was no doubt that the Arminians did not represent those doctrines. The Commons therefore resolved to investigate the whole Arminian question and to examine the character and teachings of its leaders.

As Gardiner has shown, the Commons dissipated the effectiveness of their Resolution by going off on a half dozen furious tangents at once. Montague was attacked; an investigation of recent ceremonial changes at Durham was ordered; and the King's pardon in advance to his Anglo-Catholic favourites was called in question. But the rage of the House waxed strongest against Bishop Neile, and in its attack upon him the delicate and explosive question of ecclesiastical supremacy was laid open. On February 7, 1629, Shirfield, a member from Salisbury, called the attention of the Commons to the fact that Neile had caused to be inserted in Montague's pardon a clause which seemed to free him from the consequences of heretical opinions: "*erroneas opiniones vel minus orthodoxas, doctrinas falsas, earumque publicationes, scandalize dicta, male gesta.*"³ Shirfield alleged that this was an attempt to secure protection for the Anglo-Catholic faction in its effort to subvert the doctrines of the Church. Another member recalled that Neile had ordered one of his prebendaries at Winchester to refrain from further attacks on popery.⁴ Eliot rose to scourge the bishop: "in this lord is contracted all the danger we fear; for he that procured those pardons, may be the author of these new opinions; and I doubt not but his majesty, being informed thereof, will leave

¹ Gardiner, *History of England*, VII, 42.

³ *Ibid.*, VII, 49, n. 2.

² *Ibid.*, VII, 42.

⁴ *Ibid.*, VII, 50.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

him to the justice of the House. . . ." ¹ Pym reported for the Committee on Religion that "further informations" concerning the dangerous activities of Neile were in his possession. ² Only Selden rose to protest against what he regarded as an injudicious interference on the part of Parliament in matters which he did not deem especially important. Selden disliked the Puritan fanaticism of the Commons even more than what he regarded as the ridiculous antics of a foolish pro-Catholic minority. "Selden's unenthusiastic nature and wide learning had made him utterly indifferent to the theological disputes with which the air resounded, and he thought it very hard that anyone should suffer because he held one view or another in a speculative question." ³ He regarded the whole controversy as a "tempest in a tea-pot" and feared that Parliament, if it once tasted blood, would become quite as dangerous to sane moderation as the Anglo-Catholics. He protested against the fanaticism which Parliament had exhibited and tried to lead the Commons off the bishop's scent by calling their attention to the illegal restraints which the ecclesiastical courts were imposing upon books written against popery and Arminianism. ⁴

Parliament was adjourned before the case against Neile was completed, but Selden's adroit move was not successful in diverting the investigating zeal of the House of Commons. On February 24, 1629, the Committee on Religion submitted a number of Resolutions which summed up the grievances which had been aired during the session. It was charged that popery and Arminianism were spreading rapidly and that no effort was being made to check them. Communion tables were being transformed into altars and many popish ceremonies were being introduced into the service. Orthodox doctrines were being suppressed and those responsible for this betrayal of Protestantism were protected and favoured. The Commons recommended that immediate and sharp measures should be taken to repress popery and to punish those responsible for spreading unorthodox opinions. ⁵ On the next day the King

¹ Quoted by Gardiner, *History of England*, VII, 50.

² *C.J.*, I, 929.

³ Gardiner, *History of England*, VII, 50.

⁴ Rushworth, *Historical Collections*, I, 655.

⁵ Gardiner, *History of England*, VII, 66.

adjourned Parliament for a week in the vain hope that the determination of the members might be cooled. When they met again the King realized that he could not control the Commons, and Parliament was dissolved over Eliot's immortal protest. Just before the dissolution Holles moved, since there had been no opportunity to vote formal approval of the Committee's Resolutions, that "whoever shall bring in innovation in religion, or by favour seek to extend or introduce popery or Arminianism, or other opinions disagreeing from the true and orthodox church, shall be reputed a capital enemy to this kingdom and commonwealth."¹

With the dissolution of 1629 eleven years were to pass before the King was again obliged to summons Parliament. During this period the Anglo-Catholic party was able to complete its programme of securing control of the administration of the Church. So long as Parliament met frequently, the Anglo-Catholic leaders hardly dared defy too brazenly the sentiments of the overwhelming majority in Parliament on religious questions. But as time wore on the terrible indictment which Holles had brought against them faded into the background. Anglo-Catholic clergymen were preferred; by a strict repression the main body of the English Church was prevented from expressing its sentiments; and Laud and his followers had soon convinced themselves that they could order the English Church according to their own tastes.

2. ANGLO-CATHOLIC (ARMINIAN) THOUGHT

Laud was to be the guiding genius in this attempt to re-constitute the English Church. The dissolution of Parliament found him the most important adviser to the King; and though he did not succeed to Canterbury until Abbot's death in 1633, he and his supporters had practically a free hand after the members had been sent home. Laud now began the campaign for forcing England into the mould which he had designed for the Church of England, a campaign which was to continue until the outbreak of the Civil War.² His policy admitted no place

¹ Cobbett, *Parliamentary History of England*, II, 491.

² Henson, H. H., *Studies in English Religion in the Seventeenth Century*, 230.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

for the toleration either of the sects or of men who had a decade before been regarded as most truly representative of the Church of England. He dreamed of founding a patriarchate of the three kingdoms with Canterbury at its head.¹ This Church was to be uniform, permitting no dissent, and was to be founded upon the twin pillars of the royal prerogative and the divine commission of the episcopacy. Laud and his followers were more interested in the form and structure of that Church than in the spiritual truths which it should contain. He felt that if he could compel men to a formal obedience he would have reformed the Church. He wrote, "I have moved every stone that these thorny and perplexed questions might not be discussed in public before the people, lest we should violate charity under the appearance of truth. I have always counseled moderation, lest everything should be thrown into confusion by fervid minds to which the care of religion is not the first object."² He had little patience with dogmatic wrangling; his primary interest was the attainment of unity and not the pursuit of truth. "There was in his mind no dim sense of the spiritual depths of life, no reaching forward to ineffable mysteries veiled from the eye of flesh. It was incomprehensible to him why men should trouble themselves about matters which they could not understand."³ He believed firmly that if unity could be attained in the external rites and in the order of the Church, unity of doctrine would follow as an inevitable consequence.

As Henson has indicated, Laud and his followers were remarkably insular in their outlook. Of the Anglo-Catholic bishops, Laud, Neile, Montague, Houson, Harsnett, White, Lindsell, and Manwaring had never been abroad.⁴ It may not be accidental, on the other hand, that the moderate bishops had striven to maintain their contacts with continental Protestantism.⁵ Laud was completely out of touch with European

¹ Morley, John, *Oliver Cromwell* (L., 1900), 38.

² Laud, *Works*, VI, 265. ³ Gardiner, *History of England*, VII, 125-126.

⁴ Henson, H. H., *The Relation of the Church of England to the other Reformed Churches*, 37.

⁵ Bedell had lived abroad for several years. Hall had visited France, Holland, Germany, and Scotland, and maintained a close correspondence with Protestant leaders abroad. Morton had many friends in Germany and was a warm supporter of Dury's scheme for a Protestant union. Davenant had been at the Synod of Dort and was better known abroad than in England.

Protestantism, and for the first time since the Reformation the Church of England was alienated from the course of general Protestant development.¹

Not only was Laud the leader of Anglo-Catholic policy but his writings represent the only considerable attempt on the part of any of his group to give that policy a basis in theory. It will be well at this point to examine in some detail the thought of the man who, by the determination of the King to rule without Parliament, had been given a free hand in the direction of the Church.

Laud emphasized constantly the necessity of unity and order in the Church of Christ. Doctrine and discipline are the walls and towers of the Church, which cannot stand unless it is "compacted together into a holy unity in faith and charity."² We cannot break the unity of the Church without persecuting it, nor divide the Church into sects without having many gods.³ In England, deplorable efforts are being made to destroy the unity of the Church,⁴ and it is the business both of the clergy and of the prince to reduce to order those who disturb its peace. For the unity of the Church cannot be shaken without destroying, at the same time, the stability of the faith. Both must be "at unity in themselves, and one with another."⁵ For "the schisms and divisions of the one, are both mothers and nurses of all disobedience and disjointing in the other."⁶ He who

¹ Laud's attack upon the refugee churches will be considered later. (*Vide post*, 141-142.) Under his influence the English ambassador in Paris cut himself off completely from the Huguenot churches. The services in the embassy chapel were elaborate, and the ambassador made it plain that he had no desire to communicate with the Huguenots. (Henson, *Relation of the Church of England*, 45.)

² Laud, *Sermon preached . . . at the opening of Parliament (1625)*, *Works*, I, 70.

³ "You cannot corrupt the Church in her truth, or persecute her for it, nor distract her from her unity, . . . but God suffers in the oppression. Nay more, no man can wilfully corrupt the Church in her doctrine, but he would have a false God; nor persecute the profession of the Church, but he would have no God; nor rent the Church into sects, but he would have many Gods." (*Sermon preached before his maiestie . . . at the Solemne faste (1625)*, *Works*, I, 132.)

⁴ Laud, *Sermon . . . at the opening of Parliament (1625)*, *Works*, I, 111.

⁵ Laud, *Works*, I, 70.

⁶ Laud, *Sermon preached . . . at the opening of the Parliament (March, 1628)*, *Works*, I, 157. By this time the religious situation had become serious, and

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

breaks the peace of the one breaks the peace of the other. Those who "divide Christ in the minds of men, or divide the minds of men about their hope of salvation in Christ," are dangerous both to the civil and to the spiritual orders.¹

Those who strive to break the unity of the Church often appear to do so under the plea of religion and conscience. But this should not lead us to assume that their actions are not destructive and dangerous. When disturbances and commotions fall upon the State, religion is always used to fan the flames of dissension.² The restless first win the clergy and employ them to excite the multitude. The worst men appear to be influenced by the highest motives. "Never heretic yet rent" the Church of Christ "but he pretends some great abuses, which his integrity would remedy."³ He held that these men who were disturbing the unity of the Church must be repressed, and fervently urged the immediate necessity of stopping the mouths of those who sought to dissolve English catholicity into a multitude of warring sects.⁴

Force, Laud seems to argue, must be employed to constrain men to at least a formal unity so that the peace of the Church will not be laid open to scandal. But he is driven to admit that it will not secure true spiritual unity.⁵ Spiritual unity "proceeds from charity, which is the glue of the spirit, not severed without violence." Men must bring a temperate mind to the consideration of spiritual problems and disputes if true unity is to be retained, and they must be willing to lay aside their private opinions in the interest of public peace and concord.⁶ If real uncertainty exists in a matter of faith, it is lawful for the

this sermon was regarded by the court as an important announcement of policy. It probably represents the fullest apology of the Anglo-Catholic party.

¹ Laud, *Works*, I, 71.

² Laud, *History of the Troubles and tryal of . . . William Laud*, *Works*, III, 298.

³ Laud, *Works*, I, 158.

⁴ Thus he spoke to Parliament, "I press 'unity' hard upon you: pardon me this zeal. O that my thoughts could speak that to you that they do to God; or that my tongue could express them but such as they are; or that there were an open passage that you might see them, as they pray faster than I can speak for 'unity'." (Laud, *Works*, I, 160.)

⁵ "For there can be no firmness without law; and no laws can be binding if there be no conscience to obey them; penalty alone could never, can never, do it." (Laud, *Works*, I, 112.)

⁶ *Ibid.*, I, 167.

Christian to determine his own judgment on the question, but he must hold his opinion peaceably and quietly until the Church has determined the controversy with exactness.¹ That is to say, the private Christian should not be permitted to attempt to win others to his view, but should hold his opinions *in vacuo* until the Church has spoken and then quietly submit his judgment to the voice of authority.

When men persisted in a stubborn determination to form their own judgments in religion and actively to give them expression, Laud saw no other alternative than force. The formal unity of the Church must be preserved at all costs. Thus he was driven to the conviction that the sectaries must be either repressed or driven from England.² In 1639 he wrote, of his own province, "The great thing which is amiss there, and beyond my power to remedy, is the stiffness of divers Anabaptists and Separatists from the Church of England. . . . And I do not find, either by my own experience, or by any advice from my officers, that this is like to be remedied, unless the statute concerning abjuration of your kingdom, or some other way by the power of the temporal law or state be thought upon."³

In speculative and doctrinal matters Laud was a moderate. Indeed, he was not particularly concerned with the metaphysics of belief, and held, with some reason, that the Church was being destroyed by over-emphasis on doctrinal distinctions. At the same time, however, he was striving to raise the order and discipline of the Church to a sacrosanct position. He taught that a tightly knit ecclesiastical structure would alone prevent the ruin of the Church. There is no way to suppress even blasphemy but by the close "inter-weaving" of the religious and the temporal spheres into one programme of spiritual

¹ Laud expressed these sentiments in reply to the harsh Calvinism of the Resolutions of the House of Commons. "All consent in all ages, as farre as I have observed, to an article or canon, is to it selfe, as it is layd downe in the body of it, and if it beare more sences than one, it is lawfull for any man to choose what sence his judgment directs him to, so that it be a sence *secundum analogiam fidei*, and that he hold it peaceably without distracting the church, and this till the church which made the article determine a sence." (Prynne, *Canterburies Doome*, 164.)

² Laud, *Works*, III, 421-422.

³ *Ibid.*, V, 361. *Vide* also V, 336-337, 347, 355, *et passim*.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

unity.¹ In his famous letter to Vossius (July 14, 1629), Laud defended his policy by stating that he had endeavoured to keep the perplexed problems of the Church from the public in order that the extremists might not violate charity under the appearance of furthering truth. He had proceeded moderately and had sought only to restrain a zeal which would have dissolved the Church and State into complete confusion. The Reformed Church has within it an anarchistic principle, residing in the right of private judgment, which bids fair to tear it into fragments and "fiery atoms" unless care is exercised.²

Laud, in short, had no sympathy with the free and independent quest for religious truth. He was seeking to force the Church into the rigid mould of his own doctrinal and disciplinary beliefs, while denying completely the right of men, equally pious and equally intelligent, to push further the limits of truth and reformation. Even his conception of unity was posited upon the formal acceptance of the outward rites of the Church. He believed that if men could be compelled to the same devotional mechanics for a sufficient length of time, this formal unity would gradually flower into a spiritual unity. Unity of belief, he frankly admitted, could not be gained by compulsion, but it might be attained through steady supervision over men's devotional habits. His loyalty to this principle, which shows amazing ignorance of the true roots of religious belief, was pathetically constant. "I laboured nothing more, than that the external public worship of God . . . might be preserved, and that with as much decency and uniformity as might be; being still of opinion, that unity cannot long continue in the church, where uniformity is shut out at the church door."³ Laud was fitted to understand neither the evangelical, if intolerant, zeal which animated the Puritans nor the tolerant tendencies of the age which the moderates were exploring and expanding. At best his programme was narrow, uncharitable, and unstatesmanlike; at worst it represented the effort of a minority faction to distort and destroy the Protestant character of the Church of England.

We have already spoken of the uneasy approaches of the Anglo-Catholic party towards Rome. During the time of

¹ Laud, *Works*, I, 143.

² *Ibid.*, VI, 265-266.

³ *Ibid.*, IV, 60.

Charles I this tendency was to a degree restrained by a fierce Puritan opposition which frightened Laud and his followers by the grossest libels on their intentions and beliefs. In fact, Laud appears in his most favourable light when we consider his attitude towards Roman Catholicism.

The Roman Church, he held, errs grossly against both truth and charity by its presumptuous claim to infallibility. "For every assistance of Christ and the blessed Spirit, is not enough to make the authority of any company of men divine and infallible."¹ The Roman Church can never command the respect of pious men so long as it makes this unwarranted claim.² Nor can it be argued that the General Council is infallible; its acts have no more divine content than acts of Parliament. The Councils have repeatedly demonstrated their fallibility.³ We should submit to their decrees for the sake of order and decency, but their decisions are not irrevocable. Men may continue to urge their objections and opinions quietly and in the proper season, in the hope that the next General Council will advance further in the discovery of truth. Laud seemed to believe that God disclosed His truth through a slow but steady revelation to properly accredited persons and that the zeal of the extremists merely hindered and confused His revelation. In the absence of a complete revelation of the will and truth of God we have in the Bible, the creeds, and the acts of the first four Councils all that we need for the attainment of salvation. Men may differ radically in their religious opinions while holding the necessary faith and charity.⁴

It would, indeed, be ideal if all men could agree upon religious truth, but such an agreement is impossible so long as our knowledge is weak and clouded. "There is a latitude in faith, especially in reference to different men's salvation; but to set a bound to this, and strictly to define it—Just thus far you must believe in every particular, or incur damnation, is no work for my pen." God has permitted men more latitude in the means by which they attain salvation than is generally believed. For the gifts of God "to particular men are so various,

¹ Laud, *A relation of the conference betweene William Lawd . . . and Mr. Fisher the Jesuite*, *Works*, II, 104. ² Laud, *Works*, II, 17-18.

³ *Ibid.*, II, 272, 276-277, 383.

⁴ *Ibid.*, II, 400.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

as that for my part I hold it impossible for the ablest pen that is to express it. . . . Nor will I ever take it upon me to express that tenet or opinion, the denial of the foundation only excepted, which may shut any Christian, the meanest, out of heaven.”¹

Both the Church of Rome and its Calvinistic opponents, Laud charged, had erred grievously in seeking exactly to define a complete body of faith and truth. Despite her many errors and blemishes the Roman Church is a true Church and salvation may be gained within her communion. The Church of England is, however, much closer to the apostolic model. In particular, Rome stands condemned for denying the possibility of salvation in other Christian communions and for its refusal to admit the Christian character of other faiths.² Thus the Roman Church denounces as heretical more than a hundred matters of doctrine which are held, in part at least, by other Churches, and “that in many points far remote from the foundation; though to the far greater rack of men’s consciences they must be all made fundamental, if that church have once determined them.” The English Church has carefully avoided this error which destroys the basis of spiritual unity. We should be slow in condemning a man for heresy, and slower still in condemning a Church. “Heaven gates were not so easily shut against multitudes, when S. Peter wore the keys. . . . And it is good counsel” for Rome to remember that those who easily pronounce the sentence of heresy may easily fall into the same pit.³ The Protestants have guarded against the error of rigidity and the presumption of infallibility by imputing salvation to Romanists, and the Church of England has sought to “lay open those wider gates of the Catholic church confined to no age, time, or place; nor knowing any bounds but that ‘faith which was once.’ ”⁴ She has endeavoured to maintain a broad and charitable position, and has even refrained from declaring every one of her articles to be fundamental and necessary for salvation. “For it is one thing to say, No one of them is superstitious or erroneous; and quite another to say, Every one of them is fundamental, and that in every part of it, to all men’s belief.”⁵

All truly Christian men will pray and labour for the reunion

¹ Laud, *Works*, II, 402.

² *Ibid.*, II, 29, 30, 60, 156, 159, *et passim*.

³ *Ibid.*, II, 29.

⁴ *Ibid.*, II, xvii.

⁵ *Ibid.*, II, 60.

of Christianity upon the basis of fundamental truth. And, so Laud testified later, he never considered the possibility of any other basis of reunion. The path towards the establishment of a true catholicity has been barred by "some tenets of the Roman party, on the one side, and some deep and embittered disaffections" of the Calvinistic Protestants on the other side.¹ Laud sought to define his position and the position of his party midway between two intolerant extremes.

In a philosophical and abstract sense Laud's thought was not lacking in tolerance. He stressed the necessity for finding a broad basis of doctrinal truth and judging with charity those who differed from it. No Church and no group of men could lay just claim to a monopoly on spiritual truth. The bishop taught that God reveals His truth as the Church needs further enlightenment. Towards Rome Laud took a charitable stand, while making it clear that Christianity could never be reunited so long as Rome retained its intolerant presumption of infallibility. It is not insignificant that most moderates denounced Rome on this ground rather than upon the basis of specific errors and untruths held by Rome. Laud taught, too, that men could not be coerced into the acceptance of truth and that private dissent could not and perhaps should not be extirpated.

But from a commendable statement of theory Laud and his followers drew a completely intolerant programme of policy. In effect, he represented a minority faction which sought to impose its views upon the Church of England though it had no basis in the history of that Church and though it found no support amongst the great mass of Anglicans. This Laud would do in the interests of peace and unity. But so tightly did he draw his definition of unity that he would have crushed out every species of dissent in England and, indeed, the principal body of opinion and belief within the Church of England itself.

3. ANGLO-CATHOLICISM IN POWER; HEIGHTENING OF EXTREMISM AND INTOLERANCE, 1629-1634

No sooner had Parliament been dissolved than Laud began a systematic campaign of coercion which during the next

¹ Laud, *Works*, III, 412.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

decade was to test fully the thesis that religious dissent can be rooted out by force. Laud undertook to end once and for all the Elizabethan comprehension which was capable of accommodating within the Church so many diverse spiritual elements. This firm resolution was to be imposed by Laud upon his diocese, and shortly afterwards, when his party had gained control of the episcopal structure, upon England. Comprehension was to be destroyed within the Church and no toleration was to be permitted without it. Laud launched this campaign, which had the approbation of the King, with the design of stifling nonconformity by destroying its means of expression and its religious exercises.

Laud's own diocese (London) offered an excellent laboratory for the initiation of his programme, for it was a Puritan stronghold. In late 1629 he ordered the clergy of the diocese to lend strict conformity to the Book of Common Prayer. More difficult was the problem of the lecturers, who were often engaged by individuals or corporations as preachers. Since they had no cure of souls they were not legally under episcopal control and, as repression had increased, a large number of Puritan ministers had carried on their work in this manner. Laud realized that the institution constituted a fatal weakness in his authority and in December 1629 persuaded the King to issue Instructions which prohibited the lecturers from preaching on controversial topics and from conducting afternoon services. Henceforth only noblemen could retain the services of private chaplains and no lecturer could preach until the appointed service for the day had been read.¹

At about the same time the bishop made it plain that he would tolerate no attacks from Puritan quarters either upon Anglo-Catholic policy or upon the institutions of episcopacy. This resolution was clearly demonstrated in the barbarous Star Chamber sentence imposed upon Alexander Leighton, who had libelled the bishops with unsparing venom in his *Zion's Plea against Prelacy*.² The case is chiefly important as an indication

¹ Rushworth, *Historical Collections*, II, 7-8, 30-31, and *vide* Heylyn, *Cyprianus Anglicus*, 198-202.

² Little can be added to Gardiner's excellent discussion. *Vide History of England*, VII, 143-152.

of the changing temper of Puritanism. Scarcely a decade previously Puritanism demanded nothing more than certain reforms in the Church, and had been willing to accept the Elizabethan definition of the episcopacy with minor changes. But Laud had scandalized Puritan thought by his defence of episcopacy as a divinely ordained institution and by his contention that the rites and ceremonies of the Church should be expanded and enriched. In Laud's insistence upon these two aspects of the Anglo-Catholic programme the Puritans detected what could be interpreted only as a deliberate effort to reconcile the Church of England with the Church of Rome. The controversy over the status of the bishops raged in print, but it was Laud's insistence upon changes in ceremony which most offended the ordinary layman and drove him into the Puritan fold.

So long as Abbot lived the Anglo-Catholics were unable to secure full control of the agencies of repression or to undertake a systematic campaign against nonconformity. A few cases of antinomianism were punished by the Court of High Commission in 1632, and in June of that year a separatist group was apprehended in Newington Woods¹ and the men imprisoned after they had refused to take the oath *ex officio* and had branded the bishops in court as "abominable men, to be hated by all" since they carried "the mark of the beast."² But these persons were fanatics who were loathed by the Puritans quite as much as by the Anglo-Catholics. Laud found much greater difficulty in his efforts to eradicate variations in the services within his diocese. Gardiner quotes an interesting and revealing letter from the vicar of Braintree, who was apparently endeavouring to carry out his superior's orders. "It is no easy matter," the vicar wrote, "to reduce a numerous congregation into order that hath been disorderly this fifty years. . . . If I had suddenly and hastily fallen upon the strict practice of conformity, I had undone myself and broken the town to pieces. For upon the first notice of alteration many were resolving to go to New England, others to remove elsewhere, . . . by my moderate and slow proceeding I have made stay of some, and do hope to

¹ *S.P. Dom.*, *Charles I*, ccxviii, 46.

² *Gardiner, History of England*, VII, 253.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

settle their judgment and abode with us, when the rest that are inexorable are shipped and gone.”¹

When on August 6, 1633, Abbot died and Laud became the titular as well as the real head of the Church of England, the precipitate and repressive temper of which the vicar of Braintree had complained became at once more evident. Laud had determined upon a policy of ruthlessly exterminating non-conformity and he proposed to utilize the machinery of the Church for the achievement of that end. This was to be accomplished by the careful ordering of the details of worship and ceremony; by a minute scrutiny of the disposition of the ministers to follow Anglo-Catholic leadership; by the advancement of members of his own party to key positions in the episcopacy and the important livings; and by the suppression of liberty of thought and investigation. He did not grasp the thought that the differences which divided his own party from Puritanism were irreconcilable and that toleration for dissent was the only possible solution for the dilemma to which he had already brought the Church of England. Laud should have realized that he was subjecting the Church to a desperate gamble—if the agencies of coercion failed to crush Puritanism, and that quickly, a religious war would be the inevitable consequence of his rashness. The archbishop shut from his vision all save the ideal of a unified Church of England which was to assume its true role as part of the great catholic Church which was dispersed throughout the world.² His end was the union of this great body of Catholicism and he discerned correctly that Puritanism formed the most important obstacle to the attainment of his high purpose. Unfortunately for Laud, however, the overwhelming majority of Englishmen were either Puritans or staunch Calvinists, and “he was of that type of nature in which concentration upon one object induces, not simply heedlessness of other things, but a sense that other things have no real existence at all.”³

Shortly after his elevation to Canterbury, Laud caused the King to announce that from this time forward the bishops were

¹ Gardiner, *History of England*, VII, 250.

² Green, *History of the English People*, IV, 267.

³ Clark, H. W., *History of English Nonconformity*, I, 273.

to limit ordination to those persons who were about to receive a charge.¹ This measure was designed to put at an end the practice of Puritans who received ordination and then avoided the use of the Prayer Book by preaching as lecturers or as chaplains. If such a policy could have been enforced over a period of years, the well-springs of Puritanism could have been dried up. And when he had once driven Puritanism from the Church, Laud proposed to drive it from England as well. On April 1, 1634, the Court of High Commission informed the justices that there remained in England nonconformists from the Established Church who on Sundays "under pretence of repetition of sermons, ordinarily use to meet together in great numbers in private houses and other obscure places, and there keep private conventicles and exercise of religion by law prohibited."² The Commission ordered that all such meetings should be broken up and that the guilty persons should be brought before it.

We have already had occasion to mention the fact that Laud's ecclesiastical policy was forcing the Church of England into a schism with the Reformed Churches abroad. The archbishop's emphasis upon the divine character of the episcopacy and his dislike of orthodox Calvinism were at bottom responsible for his attempt to insulate the English Church from the influence of European Protestantism. He was especially fearful that the English merchant congregations abroad, which were almost all organized as Presbyterian or Separatist bodies, would serve as outposts for English Puritanism. He interfered wherever possible and sought to force them to accept sound Anglo-Catholic ministers.³ But the majority of the congregations were well beyond his reach, and their pastors continued to preach against him and to assist in introducing Puritan literature, printed abroad, which assailed his policy.

At the same time, he endeavoured to force the foreign

¹ Rushworth, *Historical Collections*, II, 214.

² S.P. Dom., *Charles I*, cclxv, 6.

³ Rushworth, *Historical Collections*, II, 249-250. He desired that no minister should be allowed to preach to these congregations who had not conformed to the Church of England, and that a clause to this effect should be inserted in the patents of the merchant companies. (Collier, J., *An Ecclesiastical History of Great Britain* (L., 1840-1841), VIII, 55-56.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

congregations, which for many years had been settled in England under guarantees of religious liberty, into the pattern of uniformity which he was striving to create. In 1634 there were upwards of ten of these congregations, some of them constituting rich and large parishes.¹ Laud instructed the pastors of these churches to use a translation of the English liturgy in their services and insisted that their members who had been born in England should conform to the Established Church. He averred that their refusal to kneel while taking the communion was like drinking in an ale-house, and charged "that these churches were nests and occasion of schisme, that his intention was to hinder the schisme in Kent, where there are so many factions, who though they were not guilty of death, yet worthy to be punished."²

The foreign Churches appealed to the King against the peremptory order of Laud, but received no reply to their petition. Their representatives then went back to Laud, whom they found in a more agreeable humour.³ He denied ever having made the demand respecting the liturgy but insisted that those of their number who were native-born Englishmen must attend the Established services. The foreign congregations were supported by Sir Nathaniel Brent, the archbishop's vicar-general, who suggested that occasional communion in the Church of England would suffice, but Laud would accept no compromise.⁴

¹ Bulteel, a minister of one of these parishes, published in 1645 an account of Laud's efforts to suppress the foreign congregations. He listed the ten leading Churches with the number of members of each:

French Church (London)	1,400	Dutch Church (Norwich)	363
Dutch Church (London)	840	Dutch Church (Maidstone)	50
Walloon Church (Canterbury)	900	Dutch Church (Sandwich)	500
Dutch Church (Colchester)	700	Dutch Church (Yarmouth)	28
Walloon Church (Norwich)	396	Dutch Church (Southampton)	36

² B., J. [Bulteel, J.], *A relation of the troubles of the three forraign churches in Kent*, 9. ³ *Ibid.*, 27.

⁴ The Injunctions requiring conformity were published in Kent despite the protests of the mayor of Canterbury and other influential persons. (Rushworth, *Historical Collections*, II, 272-273; *S.P. Dom.*, *Charles I*, cclxxviii, 63.) The Kentish churches, at least, were able to secure postponement of the order until 1636, when they were forced to conform. (Bulteel, *A relation*, 27.) The foreign congregations were relieved by the Long Parliament in 1640.

4. THE THOUGHT OF THE MODERATE (TRADITIONAL) CHURCHMEN
 (USSHER, ROBERT ABBOT, HALL, FULLER, ANDREWES, RANDALL, GRIFFITH WILLIAMS, DOWNNAME, JACKSON, HAMMOND, AND MINOR THEORISTS)

The harshness of the Anglo-Catholic programme and the increasing tempo of Laud's activities were rapidly hardening Puritan sentiment into the violence of extremism. These activities had, at the same time, deeply disturbed thoughtful men who were devoted to the Anglican Church and who watched Laud's fanatical efforts with dismay and foreboding. Nor had the efforts of the Anglo-Catholic minority to capture the English Church entirely silenced several important Anglican thinkers who remained devoted to the Elizabethan ideal of a moderate, comprehensive, and liberal national Church. Laud's programme had, in fact, caused them to re-examine the problems of the nature of the Church, the use of coercion in matters of faith, and the role of the magistrate in the Church. These men, the true heirs of Whitgift, Hooker, and Jewel, display a considerable advance towards toleration as a solution for the difficulties which confronted the Church of England. Laud was all powerful in the Church during the fifteen years of Charles's reign which preceded the outbreak of civil war, and the Anglican moderates hardly dared to attack his position frontally. They chose rather to take the discussion into the realm of theory and by subtle implication to lay bare the true nature and danger of Laud's programme. Because of Laud's strict censorship of the press, his incessant pressure upon the lesser clergy, and actual danger of punishment, these Anglican apologists tended to be important figures in the Church who felt strong enough to brave Laud's wrath.

The Anglican definition of the national Church and its position in the Church Universal was considerably enlarged during this period. Archbishop Ussher held that we must conceive the Church of Christ as one body made up of all of Christ's true professors.¹ Thus he denounced the Roman

¹ Ussher, J., *A briefe declaration of the universalitie of the Chvrch of Christ* (3rd ed., L., 1631), 6. We have already had occasion to notice one of Ussher's earlier works; *vide ante*, 34 f.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Church for the sin of schism in her contention that the faithful in all other Churches have separated from her, and because she refused to communicate with other Christians. As reprehensible is her claim to be the source and the judge of all truth.¹ He would admit to the communion of the true Church all men who professed the name of Christ, and would "seek for the Catholick Church neyther in this part nor in that peece."² Some of the churches which men have set up as vessels for their worship are farther advanced and have more of God's truth than others, but they are all in possession of sufficient truth. In the same manner individual Christians differ, "but although the one doth so farre outstrip the other in the practice of new [i.e., gospel] obedience . . . yet are there certaine fundamentall principles, in which they both concurre; . . . Which whosoever hath, is under mercie, and may not be excluded from the communion of saints."³

Abbot agreed with Ussher in his interpretation of the "Church Catholic," but was more interested in defining the character and structure of that portion of the Church which had been erected in England.⁴ He discarded completely the mystical interpretation of the Anglo-Catholics and their insistence that the priesthood acquired authority and the Church derived its Christian character from the unbroken succession of the priesthood. Abbot taught that the fabric of the English Church and the bishops who are charged with its administration are in reality the consequence of convenience and lay policy. The catholicity of the English Church is to be found amongst its members rather than in its constitution. Its organization was effected by "the free acts of the leaders of the people" who represented the entire body politic in Parliament.⁵ In setting

¹ Ussher, *A briefe declaration*, 8.

² *Ibid.*, 11.

³ *Ibid.*, 15.

⁴ Robert Abbot (1588?–1662?) was educated at Cambridge and may have studied at Oxford for a time. In 1616 he was appointed by Archbishop Abbot (to whom he was not related) to a living, which he retained until 1643. He appears to have held a benefice during the Commonwealth and Protectorate. Brook (*Lives of the Puritans*, III, 183) classes him as a Puritan, largely because of his staunch Calvinism. His writings, however, especially his *Four Sermons* (1639) and his *A Triall of ovr Chvrch-Forsakers* (1639), would indicate that he was a moderate Anglican. He was violently opposed to all separatism, and especially to the Baptists.

⁵ Abbot, *A Triall of ovr Chvrch-Forsakers*, 52.

up the Church the members acted in the interests of the people and, so far as able men could, in the best interests of religion.¹ The ecclesiastical structure was designed to be national and to accommodate the spiritual needs of the nation and, so Abbot seems to imply, would continue to do so if its nature were not distorted both by the pretensions of the Anglo-Catholics and by the intolerance of the Puritans. After the organization of the Church had been perfected it was necessary that "the laws, and proclamations of our princes forced some to bee members, who were willing to doe worse."² He stressed the fact that there was no compulsion employed either in the forming of the Church or in its administration. In the beginning pressure had to be used for the reforming of faith and to secure "better performance of duties of religion" but, Abbot is careful to emphasize, no man was compelled to change his faith nor was conscience coerced.

The view of the Church which Ussher and Abbot had advanced represents considerable progress towards toleration when compared with that of the Elizabethan apologists, and it differs radically from that held so tenaciously by the Anglo-Catholic group. All men in England who profess the name of Christ and who adhere to the fundamentals of religion are Christian members of the Catholic Church. No religious group can pre-empt that title to itself. The national Church which has been set up in England is a creation of Parliament designed to meet the peculiar needs of the English people. Its rites and doctrines are Christian and should therefore offend no Christian, but it has no peculiar or divine prescription which permits it to coerce men as Laud would seem to contend. Sufficient strength lies in its comprehensiveness, which enables it to shelter men, all Christian, who happen to have varying religious views.

The Anglican theorists of this period naturally approached the problem of the function of the magistrate in the Church with some restraint and tended to follow sixteenth-century

¹ "Not onely the governours, but the people were willing covenanters in a generall body. It was done by the free proceedings of the house of Parliament, where knights, and burgesses were chosen by the free vote of the Commons; and they (being knowne to be able men) doe refer themselves to their determination in the Lord." (Abbot, *A Triall of our Chvrch-Forsakers*, 53.)

² *Idem.*

theory without much original development. All of the Anglican thinkers who dealt with the subject admitted the magistrate to important capacities in the Church. The King has been appointed by Christ as an officer in the Church with particular duties. He is empowered to call religious assemblies.¹ He is likewise charged with the erection and maintenance of the true worship, with the supervision of the ministry, and is empowered to extirpate false worship. He should "cause the people to serve the Lord" and to see that they "live according to the order set by God."² Constraint has its proper place in the Church if it is sparingly exercised by the Christian prince. The guests at the feast must be compelled to come in, though they may not be obliged to eat when they have come.³ In the early days of the Church, under Edward and Elizabeth, there were many years of preaching and persuasion designed to win Englishmen to the Church without compulsion.⁴ Later, in the face of spiritual disorders, the State found it necessary to compel men, who had previously been instructed in the faith, to come to church.⁵ But the State may do no more than to compel men to lend obedience to the external worship and order of the Establishment. For the civil power has no control over the 'substantiall' doctrinal affairs of the Church, and is concerned only with the maintenance of an effective religious system which shall not be dishonoured by dissenting persons.⁶ The ideal prince, Bishop

¹ Abbot, *A Triall of ovr Chvrch-Forsakers*, 91.

² *Ibid.*, 92.

³ Hall, J., *Common Apology, Works* (Oxford, 1863), IX, 21. Joseph Hall (1574-1656) was perhaps the most distinguished of the moderate Anglicans of this period. He first came into prominent notice when he was appointed an English delegate to the Synod of Dort in 1618. In 1627 he was made Bishop of Exeter. Despite Laud's dislike for his moderate and conciliatory policy in his diocese, he refused to be browbeaten into submission. Laud harassed him with informers and threats, and Hall finally threatened to resign in protest. Laud was disposed to leave him alone after this display of spirit. Though bitterly opposed to the Anglo-Catholic position, Hall was a warm defender of episcopacy and risked a great deal in his magnificent defence of the institution in 1640-1641, which stirred Milton's wrath.

⁴ Hall, *Common Apology, Works*, IX, 23-24.

⁵ *Ibid.*, IX, 20-21.

⁶ Abbot, *A Triall of ovr Chvrch-Forsakers*, 93. "For matters of circumstance, which concerne time, place, and outward forme, not determined, kings are bound, as supreame members of the church, . . . to use Christian consistories to order them, so as may agree to the condition of his church, as well as the master of a family may command his steward to order his whole family, that the private worship in his family be not dishonoured."

Andrewes urged, leads his people in spiritual matters and does not drag them. The guidance of the Church by the ruler must be mild and gentle, by "an inward and sweet influence" rather than by "an outward extreme violence."¹

The Anglican divines made their most significant contribution to the development of toleration by their attempts to define the fundamentals of faith. Laud was teaching that Christian unity rested upon a strict uniformity in external matters, while he was attempting to throttle the passionate interest which men of the seventeenth century displayed in doctrinal speculation and the pursuit of religious truth. The moderate Anglicans, on the other hand, attacked this position and sought to discover a comprehensive unity in a broad and tolerant definition of the essentials of saving faith. They are to be compared, in this respect, with certain radical thinkers of the sixteenth century who had attacked doctrinal rigidity by pointing to the common faith which underlay all Christian doctrinal systems.²

In this interesting development Bishop Hall, perhaps the ablest Anglican thinker in the first half of the century, and Archbishop Ussher were most significant. Hall urged that faith, rather than form, is the principal element in Christian unity. And faith can consist of nothing more than the fundamental doctrines necessary for salvation; all other doctrinal matters are speculative and controversial and of no real importance.³ These necessary articles are very few indeed, though the conclusions which men have drawn from them are many.⁴ Men have become so engrossed in fine-spun speculations that they have mistaken them for necessary articles of faith. In this realm of uncertainty, so Ussher argued, we cannot expect all Christians to agree in every particular.⁵ Yet the resulting variety of beliefs in no sense destroys the fundamental unity. For true Christian unity is limited to agreement on a few propositions "of so much weight and momēt that they may be sufficient to make a

¹ Andrewes, *Sermon II of the Lent Series, Works* (Oxford, 1841-1854), II, 23 ff.

² Jordan, *Religious Toleration*, I, 124-129, 323-342, 368, *et passim*.

³ "Christian Articles are the principles of religion necessary to a believer; theological conclusions are school points, fit for the discourse of a divine." (Hall, *Works*, V, 282; and *vide* Andrewes, *Sermon on the Nativity, Works*.)

⁴ Hall, *On Unity, Works*, V, 282.

⁵ Ussher, *Briefe Declaration*, 15.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

man wise unto salvation.”¹ No people, an anonymous Anglican wrote, has ever followed the Bible in fulness of knowledge, even in fundamental matters.² All parts of the Scriptures are not of equal weight or necessity. We must cleave only to the fundamental, which is “that Jesus Christ the Sonne of God, . . . is our only and all sufficient Saviour.”³ Those who embrace this truth “are the people of God, and [are] in the state of salvation.”

Since God has made the way of salvation clear to the simplest men, it must follow that there can be no confusion in defining the fundamentals of faith. They are clearly set out in the Bible, and those articles of faith about which confusion exists are evidently not essential to salvation.⁴ Men have acquired the strange misapprehension that those truths which are evident are therefore petty and “scarce worth the hearing.” They seem to feel that the important points of faith must be confused and in dispute. “It is not so. . . . Those that are necessary [God] hath made plain; those that [are] not plain not necessary.”⁵ Upon the firm foundation of essential faith some Churches have built sound and some rotten edifices, but the quality of the superstructure should not deceive us into regarding the foundations as faulty. For the fundamentals are held by all Churches. And Christian unity cannot be made to include more than these fundamentals. Ussher would have limited the fundamentals to the Apostles’ Creed, which, he pointed out, is held by all Christian communions.⁶ This, and this alone, limits the Church of Christ, and we err dangerously when we exclude any from the Church who profess faith in the essentials. “God forbid we should shut up Christian brotherhood in so narrow a compass as to bar all misbelievers of this kind out of the family of God.”⁷ We should regard with charity the millions of weak

¹ Ussher, *Briefe Declaration*, 16.

² R. W., *The Church of England is a true Church of Christ* (c. 1630), 4. This pamphlet is an able and reasonable answer to the general separatist position. The author charges them with an intolerant and bigoted conception of the Church.

³ *Ibid.*, 5–6.

⁴ Hall, *Christian Moderation, Works*, VI, 451 ff.

⁵ Andrewes, *Sermon on the Nativity, Works*, I, 35.

⁶ Indeed, he implies that all of the Creed may not be necessary. (Ussher, *Briefe Declaration*, 17–18.)

⁷ Hall, *Christian Moderation, Works*, VI, 478, and *vide The Peacemaker, Works*, VI, 601.

believers who "profess the blessed name of God, our Redeemer, and look to be saved by his blood." We dare not exclude them, "Grecians, Russians, Georgians, Armenians, Jacobites, Abassines, and many other sects, serving the same God, acknowledging the same Scriptures, believing in the same Saviour, professing the same faith in all fundamental points, aspiring to the same heaven; and like bees, though flying several ways, and working upon several meadows or gardens, yet in the evening meeting together in the same hive."¹

The position taken by these great Anglican divines destroyed the intellectual basis for persecution at one blow. They regarded the Christian communion as embracing all men who erected their faith upon the Apostles' Creed, and, it should be observed, this definition embraced all the Christian groups with the possible exception of the Socinians. Under this conception the sin of heresy would be very rare indeed; it would be limited in effect to the "insane fringe" on the periphery of all religious societies. The national Church was left with the sanction of requiring conformity for purposes of order, but the possibility of persecution was very nearly extinguished. Hall had vastly enlarged the basis of Elizabethan comprehension, and had given to that conception its noblest statement.²

Taking their position upon this moderate ground the Anglican apologists were able to denounce the fanatical zeal of both the Anglo-Catholics and the Puritans. Men are likely, so Hall argued, to stray from the essentials and to work themselves

¹ Hall, *Christian Moderation, Works*, VI, 479.

² Hall disliked the Roman Church for its dangerous presumption in denying the validity of other communions, though he regarded it as a true Church in which salvation might be attained. Ussher had no doubt that the Roman Church had been a true Church throughout the ages (*Briefe Declaration*, 23), for it is founded on the common faith of all Christianity. These truths are firmly grasped by all Christians, and are fully present in all Churches which profess the name of Christ, so that salvation may be attained in all of them. (*Ibid.*, 28.) Ussher's generally tolerant position was marred only by his share in the pronouncement of the Irish prelates in 1627, branding Roman Catholicism as idolatrous and heretical, and holding that toleration for the Catholics would constitute a grievous sin. (Ussher, *Works*, I, 73.) Toleration for the Romanists would make the Church of Ireland an accessory to heresy, and to grant such freedom in return for money would be "to set religion to sale, and with it, the souls of the people, . . ." (*Ibid.*, 74.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

into a frenzy over matters which are of little importance. Thus the Lutherans are obsessed with consubstantiation; the Calvinists with discipline; and the Brownists with separation.¹ Men regard their own opinions and doctrinal positions as sacrosanct and condemn without reserve those who hold different views.² When we assume such a position or take issue in these disputes we are guilty of a breach of charity and unity.³ We must treat all our adversaries with charity; which is in all cases to be preferred above contention.⁴ Those who meddle with disputes about non-fundamental matters "rather increase than quench it; rather fire their own wings than help others. I had rather bewail the fire afar off than stir in the coals of it."⁵ We should seek our own safety and peace in freedom of thought and silence. We should be zealous in the pursuit of the fundamentals of our faith, but our zeal should be tempered with charity and suspension of judgment about all matters which are in dispute.⁶ For by definition those matters which are subjects of controversy are not necessary.

The Anglican theorists likewise showed great restraint and moderation in their treatment of the problem of heresy. The definition of faith which the moderate group had come to accept excluded all but the most grievous heretics from consideration. Thomas Fuller, the great church historian, warned the Church of the danger of making hasty and outright accusations of heresy. The offenders should be singled out, "but take heed of killing all by a drag-net."⁷ It is very difficult indeed to separate the heretical from the godly and too often unjust decisions are reached. Common report is not to be trusted as evidence "because men in reporting things often mingle their

¹ Hall, *On Unity, Works*, V, 283.

² Cf. Henry Hammond's views as expressed in *A Practical Catechism* (L., 1847 ed.). Hammond, who enjoyed the confidence of all parties, wrote that we should not value our own opinions (save in fundamental matters) so highly as to exclude from salvation those who differ from us. We should preserve modesty and calmness in disputation and should not affix "holiness to opinions, or [think] them the best men that are most of our persuasions." Peace will best be preserved by "not defining too many things in religion." (P. 102.)

³ Hall, *Works*, VII, 529.

⁴ *Ibid.*, X, 278, 283.

⁵ *Ibid.*, VII, 471.

⁶ *Ibid.*, VI, 446-447.

⁷ Fuller, *A comment on I Cor. 11.18* (1640), *Collected Sermons* (L., 1891), I, 116.

own interests and engagements with their relations, and making them better, or worse, as they themselves stand affected."¹ In all cases we should be restrained by charity, for "where too much charity hath slaine her thousands, too little hath slaine her ten thousands."²

Hall admonished the Church in laying accusations of heresy to distinguish carefully between error in the fundamentals and the non-essentials. Those who oppose the fundamental truths are "worthy of our careful avoidance and hardest censure."³ But we must not forget that Christ charged His followers with but few obligations of faith. The early Councils, in setting up the foundations of faith, were restrained in condemning the heretics who then disturbed the Church. We should cleave solely to the primary principles of faith. "Time and busy heads drew on these varieties of conclusions and deductions which have bred this grievous danger and vexation to God's people; insomuch, as it is now come to that pass, that, as he said of old, it is better to live in a commonwealth where nothing is lawful than where every thing; so, it may no less justly be said, that it is safer to live where there is no faith professed, than where every thing is made matter of faith."⁴

Hall would argue that most heresy is itself the result of bigotry and intolerance. Men start with a private doctrinal premise and when it is attacked seek arguments in its defence. Then they stray into error, since they search for victory rather than for truth.⁵ But unless fundamentals are assailed, the Christian should exercise charity. We have used the term heresy without discrimination and too many swords have been drawn for the killing of flies. Such intolerance is destroying the Church. "Those that style themselves Catholics called the Reformed heretics; the Reformed call them heretics."⁶ We have enough to do if we guard our own faith and bear our own burden of error. We may reason with and persuade a brother whom we consider to err grievously, "but hate to charge him with it as his own: frame not imaginary monsters of error with

¹ Fuller, *A comment on I Cor. 11.18* (1640), *Collected Sermons*, I, 117.

² *Ibid.*, I, 118.

³ Hall, *Christian Moderation, Works*, VI, 448.

⁵ *Ibid.*, VI, 460.

⁴ *Ibid.*, VI, 451.

⁶ *Ibid.*, VI, 464.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

whom you may contend. He that makes any man worse than he is, makes himself worse than he."¹

These fine utterances constituted a considerable advance in the direction of toleration. The moderate Anglicans would limit the definition of heresy so closely that it would be a very rare crime indeed. But what should be done in the event of an actual denial of the fundamental and generally accepted tenets of Christianity? The great liberal Irish prelate, George Downame, would apparently have limited punishment, even in this case, to excommunication and banishment from the society of the godly.² This remarkable position, which was not fully developed, went farther than Anglican thought in general. Fuller believed that gross heresy should be sternly repressed. If spiritual weapons failed to change their views "only . . . mulcts in purse or person can hold and hamper them." A present prison may restrain a man more than future hell-fire. In the most extreme cases he would seem to give grudging sanction to the infliction of the death penalty.³

Hall treated the problem more fully. Error in the fundamentals is dangerous, if those who are guilty are malicious and perverse. Experience has shown that the Christian state may check the spread of such error by timely restraint.⁴ Every effort should be employed in order to avoid the use of violence. Persuasion should be used and those infected with heresy should not be permitted to associate together and thus to spread the belief. In particular, they should be denied the liberty of the press.⁵ Before the invention of printing, dangerous error could be checked with comparative ease, but "error, that could but creep then, doth now fly, and in a moment cuts the air of several regions."⁶

¹ Hall, *Works*, VI, 471-472.

² Downame is worthy of a special study. He was the son of a Bishop of Chester and was educated at Cambridge. He taught for some years at Cambridge, where he was a distinguished logician. James appointed him Bishop of Derry in 1616. Downame was a staunch Calvinist and a fearless critic of Laud. The Archbishop attempted to suppress the publication of one of his sermons in 1631. Downame died in 1634. *Vide* his *Apostolical Injunction for unity and peace* (1639), 27-31, for the view given above.

³ Fuller, *Truth Maintained* (1643), *Collected Sermons*, I, 359.

⁴ Hall, *The Peacemaker* (1624), *Works*, VI, 640.

⁵ *Ibid.*, VI, 644-646.

152

⁶ *Ibid.*, VI, 644.

We should, however, be very sure of our position before we use force. Only those who err in the plain language of the Apostles' Creed are to be considered heretical. And even then a very careful distinction must be drawn. For Hall divides dangerous heresy into two types. "Mere heresy" he defined as an error in the fundamentals of faith which is stiffly and obstinately, though passively, held. "Mixed heresy," on the other hand, is a fundamental error which is accompanied by "blasphemy, infectious divulgation, seditious disturbance, . . . and the like."¹ Persons thus infected not only hold heretical beliefs but seek to win others to them. The first species of heresy is a spiritual sin only and can be dealt with only by spiritual weapons. "Bodily violence may have no place here, sith faith is to be persuaded, not forced." Hall rose to noble eloquence in the defence of his advanced position. "What stacks have been spent every where as the fuel of martyrdom! It is proper for a cruel religion to live upon blood. For us, we will save whom we can; but whom we cannot, we will not kill."²

However, we cannot tolerate "mixed heresy," which seeks to spread itself, and which usually involves offences against natural or civil law which are themselves punishable by death. Hall insists, however, that such punishment must not endeavour to effect a spiritual cure. In such a case the State simply punishes a civil offence which happens to be accompanied by a spiritual sin with a civil punishment.³ If such heretics are "utterly incorrigible" the Church may "take off" its hand and "leave them unto just censure."⁴

No representative of the dominant groups had ever assumed a more tolerant position than that so warmly defended by Bishop Hall. Heresy could be interpreted only as error in a fundamental of faith, and the fundamentals had been most tolerantly defined. Even in this case, if the heretic entertained

¹ Hall, *The Peacemaker, Works*, VI, 649.

² Hall, *Works*, VI, 649.

³ *Ibid.*, VI, 650-651.

⁴ *Ibid.*, VI, 483. Hall argued that the Church does not deliver such heretics to the State for punishment. It is no longer concerned, save that it will seek to reclaim them, since they have violated the civil laws. The distinction was, we fear, scholastic, and under it Hall appears to condone the execution of Legate, Ket, and Servetus for Arianism. (*Ibid.*, VI, 482.) But these are the only cases in which he would seem to have agreed that the death penalty was justified.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

his convictions quietly and without breaking any civil laws, only spiritual weapons could be used against his sin. If an heretic, or an heretical sect, vigorously and blasphemously attacked faith in the attempt to spread error, the civil or the natural law would sooner or later be broken and the State could then punish the offence civilly. But the Church should end once and for all its participation in the bloody business. If Hall's views had been accepted, toleration would have been at hand and the Civil War might never have occurred. But England was to be ground between the intolerance of Puritanism and the mad fanaticism of Laud, and Hall's pleas for moderation fell upon deaf ears.

The remarkable tolerance of Anglicanism in this period was based upon the growing conviction that the methods and the philosophy both of Laud and of his Puritan opponents were wrong—that religious belief was not susceptible of coercion. Thus Hall wrote that “princes and churches may make laws for the outward man, but they can no more bind the heart than they can make it.” The spirit of man is subject only to God. There was general agreement amongst the Anglican moderates on this point, and the inviolability of conscience was urged with so much vigour that it is apparent that the men who represented the true Church of England were conscious of their declining influence.

Fuller held that the true churchman is not given to “forcing others to his own opinion,” but leaves every man to his own liberty.¹ The true Church, Randall wrote, does not employ carnal and bloody weapons.² “Christ would not bee defended by the sword; spirituall power betakes it selfe to better weapons, to spirituall and heavenly weapons.”³ The magistrate may compel men to the outward forms of religion, but law and force cannot impinge upon matters of faith and conscience.⁴ John

¹ Fuller, *The Holy and Profane States* (L., 1831 ed.), 66.

² Randall, John, *Twenty-nine lectures of the Chvrch* (L., 1631), II, 65. Randall was a native of Buckinghamshire and was educated at Oxford. In 1599 he was given a living in London, which he held until his death in 1622. He was distressed by the Catholic policy of James, and became increasingly sympathetic towards the Puritans, without, however, actually adopting their position.

³ Randall, *Twenty-nine lectures*, II, 91.

⁴ *Ibid.*, II, 95.

Bury, writing in 1630, lamented the quarrelling and bickering which plagued the Church, and suggested that tolerance alone would restore harmony. "Did you ever know any souls converted, any man cured, with such gall and vinegar? Wee shall as soon catch fish with a naked hooke."¹ Bishop Downame took an even more advanced position when he doubted whether the indifferent matters of faith and ceremony could be enforced upon a convinced conscience. "The conscience of a Christian is exempted from humane power, and cannot be bound but where God doth binde it."²

This view was likewise supported by Thomas Adams, who held that faith cannot be compelled because "there is nothing so voluntary as religion; faith comes by persuasion, not by compulsion."³ Heresy must be restrained in order to prevent the contamination of the true faith,⁴ but this restraint is to be strictly limited. "Excommunication, bondage, exile have beene thought fit punishments for heretikes"; certainly "fire and faggot" is not God's way of dealing with heresy. The death penalty may destroy the life of the heretic but it is powerless either to destroy his heresy or to give him faith.⁵

Another Anglican apologist urged that the spiritual agencies of gentleness and moderation alone can win men to Christ. "In the spirit of meeknesse, he creepes into their hearts with termes of love, and seeks to lead them, . . . rather as sheepe by an inward sweet influence, then as goats to be driven by an outward extreame violence; . . ."⁶ Violence has no place in the

¹ Bury, *The Moderate Christian* (L., 1631), 11.

² Downame, *The Christians freedom* (Oxford, 1635), 102, 100-104. Needless to say, such scruples of conscience should not be permitted to degenerate into perversity or licence. (*Ibid.*, 111-112.) But when the conscience is really convinced it cannot and should not be forced.

³ Very little is known about the life of Adams, who was one of the most gifted preachers in England. In 1612 he was pastor of a rural parish in Bedfordshire, and two years later received a benefice at Wingrave, Buckinghamshire, where he was living as late as 1636.

⁴ Adams, *Workes* (1629), 559, 701. ⁵ *Ibid.*, 559-560.

⁶ Williams, Griffith, *The Right Way to the best religion* (L., 1636), 1078. Williams (1589?-1672), Bishop of Ossory, is a difficult divine to place in the thought of the period. He was a High Churchman in temperament, but his intense and enthusiastic dislike of Laud kept him from being identified with the Anglo-Catholic party. He was quarrelsome and high-tempered, and at one time or another was at odds with every group in England.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

defence of truth. Coercion has been used for the restraint of heresy and idolatry but there is always the danger that force will drive men to fear, and "fear alone may make men perfect heretics or infidels, but not inwardly or sincerely faithful."¹ The saintly Hammond, who was respected by every religious party in England, wrote in 1643 that because of the varied nature of religion it "cannot be forced or constrained by outward violence; and therefore, 'tis apparent, needs no outward defence for the maintaining of it, . . ."² Tyranny and repression are powerless to affect men's souls. "They that have power to kill the body, are not able to commit the least rape upon the soule; they may rob me of my life, they cannot of my religion; the weakest creeple in the hospitall may defie the whole army of the Philistines in this matter."³ The true Christian is far more anxious to die for his religion than to fight for it.

Anglican thought, which we have sought to present, would indicate that the thinkers of the Church not only had advanced far beyond the Elizabethan apologists, but were prepared to define the limits of the Church of England in such a fashion that all but the most radical sectaries could be accommodated within her communion. Unfortunately, however, the moderate Anglicans were caught between two extremist parties even then arming for conflict. In such circumstances moderate counsels are disregarded and the ranks of the moderates tend to become depleted as men take up their position in one camp because they fear or dislike the other more.⁴ Toleration was not possible in England so long as the various religious parties were growing more rigid and more hostile to each other, and, in particular, so long as each of the extreme groups laid claim to an exclusive truth. Toleration had little to expect from the Puritans and even

¹ Jackson, Thomas, *How far the ministry of men is necessary for planting true Christian faith*, *Works* (1672-1673), I, 310. Jackson has usually been regarded as an Anglo-Catholic. He was certainly highly respected and befriended by Laud, and these favours incurred the wrath of Prynne and Featley in 1640. But Jackson's writings display no traces of Anglo-Catholic bias. He treated the Puritans moderately and constantly deplored all extremism.

² Hammond, H., *Of resisting the lawfull magistrate* (L., 1644 ed.), 3.

³ *Ibid.*, 4.

⁴ We shall consider this tragic consequence of the extremism of this period in detail in our study of the moderates and the laymen. *Vide post*, 315-491.

less from the Anglo-Catholics. Laud was the leader of a minority which was maintained in authority by the power of the State and he must have realized that the structure which he was so laboriously rearing would collapse directly that support was withdrawn. Intolerance is derived from fear, and the archbishop was afraid that Puritanism would rise to destroy his conception of the Church if his coercive hand were for a moment relaxed. He was consequently resolved to destroy Puritanism first.

5. THE FRUIT OF RELIGIOUS EXTREMISM, 1634-1640

a. Laud's Programme for Exterminating Dissent

In 1634 Laud ordered a metropolitical visitation of a most searching character. During the next three years his vicar-general, Sir Nathaniel Brent, reported to him on every conceivable detail of the state of Church fabrics, discipline, conformity, vestments, and the like. It should be said that the investigation was of great value in disclosing frightful conditions of ignorance and vice amongst the clergy which Laud with characteristic energy undertook to reform. But the archbishop's major interest was in sweeping Puritanism from the Church. Thus it was that he forced a dangerous issue by ordering the communion tables to be removed from the body of the church to the east end where they were to be protected by a guard-rail. This step struck deep at the Puritans, who held, as did most Anglicans, that the distinction between the altar and the table was precisely that between a Catholic and a Protestant.¹ Most Englishmen were convinced that Laud was grooming the Church for eventual reconciliation with Rome. Local opposition to Laud's innovations was throttled and still another step had been taken towards fusing religious with political grievances.

As Gardiner has well said, Laud was rapidly alienating every important group in England. The Puritans had been driven into revolt and the main body of the Anglican clergy had little more respect for him. The sects had felt the full weight of his coercion. The stoutly Protestant gentry disliked both what they regarded as his popery and the fact that a divine had usurped

¹ Gardiner, *History of England*, VIII, 115.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

their role in dominating the government of England.¹ The moderates were being crushed and the more spirited of them were driven into the Puritan or the sectarian camps. But the solid body of Englishmen were finally aroused by the remarkable favour which the Court showed to the Roman Catholics in this period. Laud had no personal desire to reconcile the Church of England with the Church of Rome on its terms, but he had set in motion a tendency in that direction over which he did not have full control. Every conversion in high places to Catholicism therefore acquired exaggerated importance.² May expressed these feelings well when he wrote that the Church of England was being destroyed by insidious means. Jesuits and legates, under royal protection, were forcing the Church towards Rome. The clergy extolled the King and disowned their connection with continental Protestantism.³ Queen Elizabeth was coldly regarded and her father was condemned for having seized the properties of the Church. "Not only the pomp of ceremonies [was] daily increased, and innovations of great scandal brought into the church, but in point of doctrines many fair approaches [were] made towards Rome. . . ."⁴

The real difficulty was that the Laudian party was completely out of touch with public sentiment and was not making its own position clear. As D'Ewes wrote, "I can honour and esteem a virtuous or learned Papist, . . . But for men to call themselves Protestants, . . . to inveigh against popery in word only, and in the main to project and plot the ruin of the truth

¹ Lucy Hutchinson vividly described the hatred of her husband and his friends for the Anglo-Catholic leaders of the Church. There is considerable shrewdness in her observation that the Laudian dislike of the Calvinistic doctrine of predestination represented the most important of the numerous deviations of this group from the historical position of the Church of England. She wrote: "At that time [1639], this great doctrine grew much out of fashion with the prelates, but was generally embraced by all religious and holy persons in the land." (*Memoirs of the Life of Colonel Hutchinson* (L., 1885), I, 94.) Just a year later the country squires, when they saw Juxon "with the other bishops, riding to Westminster," cried out in derision, "'There goes the church triumphant!'" (May, Thomas, *The History of the Parliament of England* (Oxford, 1854 ed.), 23-24.)

² Gardiner, *History of England*, VIII, 129; Gooch, G. P., *English Democratic Ideas in the Seventeenth Century* (1927 ed.), 81-82.

May, *History of the Parliament of England*, 22.

158

⁴ *Ibid.*, 23.

and Gospel, to maintain and publish the most gross and feculent errors of the Romish synagogue, to cause God's Day to be profaned, his public service to be poisoned by idolatry and superstition, his faithful and painful ministers to be censured, suspended, deprived, and exiled, . . . this my soul abhors."¹

The Puritans were not disposed to express themselves so moderately or carefully as the Anglican diarist. Laud had throttled the English press and his supporters were employing it in a desperate effort to control opinion. But the agencies of propaganda were not so easily stifled in the seventeenth century as in these later days. From Holland and from private English presses the attacks on Laud were continued and, as his repressive tactics became sterner, these libels became more and more savage.² The archbishop resolved in 1637 to make an example of the most outspoken of his enemies, and Prynne, Bastwick, and Burton were selected for punishment. These men were all able and bitter, and Laud was correct in regarding them as implacable and dangerous opponents. These Puritan writers had scathingly denounced every point in the Anglo-Catholic programme and, what was even more dangerous, had held the whole party up to ridicule. Their writings had grown more and more vitriolic, and finally Bastwick in his *The Litany of John Bastwick*³ had attacked the very institution of episcopacy as popish and anti-Christian and had accused Laud and his party of a deliberate attempt to pervert the Church of England.

On June 14, 1637, the three men were haled before the Court of Star Chamber on charges of libel. Laud was the moving spirit in the prosecution of the charges, and the brutality of the judicial process was exceeded only by the barbarity of the sentences.⁴ On June 30, 1637, the sentences were carried out to the last gruesome detail of mutilation. As Gardiner has well emphasized, there had been few indications of general sympathy

¹ D'Ewes, Sir Simonds, *Autobiography* (L., 1845 ed.), II, 113-114.

² The thought of the Puritan libellers has no importance for our subject. *Vide*, however, *post*, 206-214.

³ No more savage book has ever been printed. Bastwick prayed, "From plague, pestilence, and famine; from bishops, priests, and deacons, good Lord deliver us." (*S.P. Dom.*, *Charles I*, cccliv, 180.)

⁴ *S.P. Dom.*, *Charles I*, ccclxi, 77; *vide* Gardiner, VIII, 228-230, for the details.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

when in 1634 Prynne had suffered a lighter sentence.¹ But in the past three years England had become aroused both by Laud's spiritual tyranny and by the apparent drift of the Anglo-Catholic leaders towards Rome. Sir Thomas Roe, in describing the sentence to Viscount Conway, wrote with malicious irony, "And because England is in no air for any libel, I send it to you to sea, that it may find salt there; it has gall enough. I wonder how they keep their ears in France, . . ."²

As Bastwick passed to the place where he was to undergo punishment, "the light common people strewed herbs and flowers before him. Prynne and he stood upon one scaffold and Mr. Burton upon another." While in the pillory, "they all three talked to the people. . . . Prynne protested his innocence to the people of what was laid to his charge. Mr. Burton said, it was the happiest pulpit he ever preached in. After two hours the hangman began to cut off their ears. He began with Mr. Burton. There were very many people. They wept and grieved much for Mr. Burton, and at the cutting off each ear there was such a roaring as if every one of them had at the same instant lost an ear." Prynne was branded with the initials "S.L." to indicate that he had been convicted as a "seditious libeller," and on the way back to prison composed his classic epigram which was in every man's mouth before the day was done:

"Triumphant I return! My face descries
Laud's scorching scars—God's grateful sacrifice
S.L., Stigmata Laudis
Stigmata maxellis bajulans, insignia Laudis,
Exultans remeo, victima grata Deo!"³

Laud should have been warned of the state of public opinion by the reaction of London to the punishment of the libellers.⁴

¹ Gardiner, *History of England*, VIII, 231.

² *S.P. Dom., Charles I*, July 24, 1637, ccclxiv, 47.

³ *Ibid.*, July 6, 1637, ccclxiii, 42.

⁴ Another contemporary reported that when an Anglo-Catholic minister at Shoreditch defended the punishment and declared that all who sympathized with the prisoners were likely to incur damnation, "this made divers go out of the church, for the common people are extremely compassionate towards them." (*S.P. Dom., Charles I*, July 13, 1637, ccclxiii, 119.) Digby spoke with alarm of the great crowds which made Prynne's and Burton's departure from London for distant prisons a triumphal procession. (*Ibid.*, ccclxiv, 68; ccclxviii 14.)

But he seems to have been completely impervious to the drift of public sentiment. In a letter to Strafford, written not long after this occasion, he gave the impression of having been somewhat startled by the public reaction, but there was no indication that it had caused him to moderate his zeal. He inquired of his friend, "What say you to it, that Prynne and his fellows should be suffered to talk what they pleased while they stood in the pillory, and win acclamations from the people, and have notes taken of what they spake, and these notes spread in written copies about the city, and that when they went out of town to their several imprisonments, there were thousands suffered to be upon the way to take their leave, and God knows what else."¹ The archbishop appears to have been disturbed rather more by the laxity of the officers in permitting this public expression of feeling than by the revelation of the extreme detestation with which he and his party were regarded in England.

Laud's attempt to check the rising tide of disaffection by a sharp, bold punishment of the worst offenders was not effective. Puritanism had gained martyrs and during the summer the attacks were vigorously renewed. Laud was now denounced as a man of blood. In desperation the Government resolved to tighten the control of the press even further. The number of licensed printers in London was reduced to twenty and every book, whether new or a reissue, was required to bear a licence. Persons who violated this order were to be punished by the pillory and by public whipping.²

The crisis to which Laud had brought both Church and State was watched keenly by Correr, the Venetian ambassador. In early 1637 he wrote that the leading men of the kingdom were holding secret meetings and were planning to force the convention of Parliament.³ The Venetian felt that religion was the critical issue in England. Laud had introduced into the English Church many innovations "which come very near to the forms of the Roman Church."⁴ He was even seeking to

¹ *The Earl of Strafford's Letters and Dispatches*, II, 99, and *vide* II, 101.

² *Rushworth, Historical Collections*, II, 450.

³ *Correr to Doge and Senate*, January 16, 1637, *V.P.*, xxiv, 125.

⁴ *Correr to Doge and Senate*, January 16, 1637, *V.P.*, xxiv, 125; and see Correr's communication of August 13, 1636 (*ibid.*, xxiv, 39), for English fear of the restoration of Catholicism.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

restore the confessional. English feeling, Correr wrote, was thoroughly aroused and the leading magnates had resolved to restore the Church of England by destroying Laud directly they could bring about a meeting of Parliament.

Correr likewise attested to the public indignation which the punishment of the Puritan libellers had evoked. He shrewdly observed that Laud's precipitous and unpopular religious programme was driving the moderate Anglicans into the Puritan camp. A few days after the punishment of the libellers he wrote that Puritanism had increased enormously during recent months, and that it was now being deliberately encouraged by many men of high rank. "The king, seeing this poison spreading, tries to keep it far from his heart and to pull out its roots, but the more he tries to extirpate them the stronger they become. They do not care about their goods or esteem their lives when efforts are made to moderate their doctrines, or rather their ignorance. When the sentence in question was being executed, one could see even women and children collecting the blood of the victims, exalting their punishment and ignominy with tears and cries to the most exalted martyrdom. In short this pest may be the one which will ultimately disturb the repose of this kingdom."¹ A few months later, Zonca, the Venetian secretary at London, estimated that three-fifths of the English were staunch Puritans,² and as the crisis developed he was increasingly impressed with the growing strength of the party.³ The Puritans, he observed, would never be content until the changes which Laud had introduced in the Church were swept away.⁴

Laud opposed this deep resentment, not with a missionary movement of his own, but with penal statutes and the agencies of persecution. In the past, persecuting programmes had on occasion been successful, but very rarely indeed in history has a religious party which is a minority group succeeded in suppressing religious points of view held by the overwhelming majority of a people. Many of the Puritans were unwilling to face the horrors of rebellion, or had lost heart and were emi-

¹ *Correr to Doge and Senate*, July 17, 1637, *V.P.*, xxiv, 242.

² *Ibid.*, March 19, 1638, xxiv, 387.

³ *Ibid.*, xxiv, 479, 559.

⁴ *Ibid.*, September 1639, xxiv, 576.

grating to America by the thousands. As Morley has so well said, "The Puritan exodus to New England was a signal, and no statesman ought to have misread it, that new forces were arising and would require far sharper persecution to crush them than the temper of the nation was likely to endure."¹

Alarmed by the Puritan emigration, which was depopulating certain sections of England and which was seriously disturbing property values, the Government on April 30, 1637, issued a proclamation calculated to curb it strictly. Persons who were subsidy men, "or of their value," were required to secure a licence from the Royal Commissioners for Plantations before emigrating, and those of lesser wealth were obliged to secure a certificate from two justices of their locality stating that they had taken the Oaths of Allegiance and Supremacy, and a testimony from their parish priest that they had conformed to the practices and doctrines of the Church of England.² Thus the Government had closed the remaining safety-valve and had chosen to ride out the storm.

Puritanism was being driven by Laud's extreme courses to solidify itself upon the deeply laid foundations of Presbyterianism. This, the most characteristically Protestant of all the faiths which the Reformation had spawned, provided a doctrinal and a disciplinary system which would afford the necessary defences against Anglo-Catholic extremism. At the same time, under the cover of general discontent, the radical sects began about 1636 to make rapid progress. The sects had been precariously rooted in England for many years but it was in this period that they first began to spread rapidly.³ Laud was obliged to confess that his agents had not been able to suppress them in his own archdiocese, and admitted that their missionary successes could be checked only by driving them from England.⁴ The leaders of the sects were joining with the Puritans in libellous pamphlets attacking Laud and by 1638 the number of sectarian works had increased alarmingly. The Privy Council seems to have lost its

¹ Morley, *Oliver Cromwell*, 40.

² Rushworth, *Historical Collections*, II, 409-410.

³ Mention of the sects begins to appear with considerable frequency in the State Papers after 1636. *Vide S.P. Dom.*, *Charles I*, cccxiv, 118; cccxxii, 86; cccxxvii, 107, for examples. For a detailed consideration of this subject, *vide post*, 227-231, 265-268.

⁴ Laud, *Works*, V, 361-362.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

head for a short time and to have determined to make an example of the first serious case which came before it.

Such a case came to the attention of the Council when in July 1639 a Separatist named John Trendall, a stonemason from Dover, was reported to it for having refused to take the Oath of Supremacy and for having preached in his own house, where he had "taken upon him to expound the Scriptures, spreading sundry opinions repugnant to the doctrine of the Church of England."¹ Trendall in examination before the Council stoutly maintained that he had not been guilty of holding a conventicle, and that his only offence was the belief, which he held in conscience, that he could not "worship under the Bishops' power." In a subsequent examination of persons who had been associated with Trendall, it was established that he had preached illegally; that he had taught that the Lord's Prayer was merely the "form of prayer"; and that the Church of England was not established according to Christ's ordinances.² Another witness testified that Trendall did not regard the Anglican ministers as true ministers, since they had been ordained by bishops.

No charge of heresy could possibly be framed against Trendall, and a substantial portion of Puritan England could have been convicted of the offences which had been proved against him. None the less, the Council determined to make an example of this apparently harmless individual simply on the charge of separatism. There was considerable doubt about the proper procedure, however, and the Council decided to apply to Archbishop Neile for advice.³ Neile, who as Bishop of Lichfield had burned Wightman, was a fanatical Anglo-Catholic and an authority on the handling of obstinate men. The prelate returned a full copy of the legal proceedings in the earlier case and pointed out that the Legate case had been similarly handled. He was at some loss to understand what was required of him in the present case, however, "for the generality of my proceedings with [Wightman] my Lord's

¹ *P.C. Register*, C. I, xvi, 567, 601, 666, 683, 689.

² *Congregational Historical Society Transactions*, I, 196-197.

³ *S.P. Dom.*, *Charles I*, cccxxxii, 27 (November 9, 1639); *P.C. Register*, July 31, August 2, 1639.

grace of Canterbury can informe their Lords; for he was with me, and assisted me in all ye p'ceedings against Wightman from ye beginning to ye end."¹

Neile had no regrets about the Wightman case and expressed the view that his execution "did a great deal of good in this Church." Once more heresy was rampant in the Church, and the bishop urged that "the present times do require like exemplary punishment, which I refer to your grave consideration." Incredible as it may seem, the evidence would appear to indicate that the Government had seriously considered executing Trendall for the crime of separatism and the denial of the validity of Anglican orders. Logically the Laudian party should have forced the issue and made it clear that it would undertake the last remedy which extremism can marshal against an unrelenting opposition. But Laud desired no man's blood, and the Council seems to have delivered the Trendall case to the Court of High Commission for routine disposition.²

b. The Short Parliament (1640), and the Attack on the Anglo-Catholic Conception of the Church

We are not concerned with the developments which obliged the King to summons Parliament to convene on April 13, 1640. As we have attempted to indicate, the Anglo-Catholic programme had in itself driven England to the brink of revolution. When this resentment was combined with mounting political dissatisfaction and the stupid attempt of the Government to force the Laudian system upon Presbyterian Scotland, civil war became inevitable. We shall be interested in the debates of the Short Parliament (April 13, 1640—May 5, 1640) only in so far as they throw light upon English religious feeling. For eleven years repression had driven public feeling underground and had, at least, been reasonably effective in preventing the crystallization of organized resistance. No one could esti-

¹ *S.P. Dom.*, *Charles I*, August 23, 1639, ccccxxvii, 78; November 9, 1639, ccccxxii, 27.

² When cited before that body on November 21, 1639, he refused to take the oath *ex officio* and was bound over to the next term of court. Trendall appears to have taken the Oath of Supremacy later (August 1639), but was nevertheless kept in custody until 1641. (*Cong. Hist. Soc., Trans.*, I, 198; *S.P. Dom.*, *Charles I*, August 24, 1639, ccccxxvii, 80.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

mate the strength of national sentiment which for more than a decade had been able to express itself only by word of mouth, by scurrilous libels, and by covert anonymity. The Government had effectively insulated itself from the sentiments of the body politic and was quite unprepared for the storm which burst directly Parliament was assembled.

The Government hoped to hold the members to the pressing problem of supply and to avoid the opening of the explosive question of religious grievances. But no leadership could have restrained the feelings of a body which was Puritan in sympathy and which exhibited almost unanimous hatred of the Anglo-Catholics. The members realized the gravity of the problem and in the opening days of the session explored it moderately and hesitantly. Sir Benjamin Rudyerd¹ pointed out the danger from the Roman Catholics. That danger, he argued, was to be found not so much in the attractiveness of their tenets as in the fact that the Anglo-Catholic leadership had robbed the Church of all strength in the eternal war with Rome.² He was disturbed, too, by the decline of preaching and by the fact that for the first time in history Christian zeal was viewed with disfavour by the leaders of the Church. Rudyerd implied that the leadership of the Church would have to be changed, but warned the members that great care must be taken. "It is wisdom in us, to preserve temper and moderation; for breaking of Parliaments makes dangerous wounds . . . and if the splinters be not pulled out with a gentle hand, we may hereafter despair of cure."³

Pym followed Rudyerd on April 17 in a long speech devoted to a consideration of both the religious and the constitutional

¹ Rudyerd's important political achievements call for no comment. He was a moderate in his religious views. Though bitterly hostile to the Anglo-Catholics, he drew back when in 1640-1641 the Puritan majority in Parliament began to attack the institution of episcopacy. Rudyerd was appointed a member of the Assembly, but took little part in the debates and shortly afterwards retired from public affairs.

² In speaking of the Catholics, he said, "For I desire their conviction; and the way to do that, is to set up better lights, who have warmth in them, and are not luke-warm in religion." (*S.P. Dom., Charles I*, cccl, 94; *Calendar of the Clarendon State Papers preserved in the Bodleian Library* (Ogle, Bliss, Macray, eds.), I, 197 (§1376).)

³ *S.P. Dom., Charles I*, cccl, 94; *Calendar of the Clarendon State Papers*, I, 197 (§1376).

grievances of the realm. His religious proposals were somewhat uncertain and very cautious, for he felt that so much had been lost by the extremism of the past decade that Parliament would have to be content with moderate demands. England cannot tolerate the suspension of the laws against the Catholics or permit further favour to them. Parliament should not demand the passage of additional legislation nor even "a strict execution of the old ones, but only so far forth, as tends to the safety of his Majesty, and such a practice of them, that the religion that can brook no corrival, may not be the destruction of ours, . . ."¹ He dealt very cautiously indeed with the Laudian programme. The innovations which have been made appear to many to have moved the Church further towards Rome and they have given cause for scandal to many more. The system has been forced upon England by an "over rigid prosecution" and only great charity and moderation can cure the wounds which have been given.

As Gardiner has well said, Pym attacked the vitals of the Anglo-Catholic system but his recommendations were moderate and Elizabethan in tone.² He was far more concerned with the presumption of the right of coercion which lay behind the Laudian theory than with the particular evils which its innovations had introduced.

More bitter, and probably more typical of the sentiments of the members, was the speech of Francis Rous.³ "The root of all our grievances I think to be an intended union between us and Rome, I speak not without book for there are too many books of it, . . ."⁴ He charged that the Anglo-Catholic group had conspired to gain control of the ministry and to destroy orthodoxy.

The shortness of the session and the pressing financial and political questions prevented further consideration of the

¹ Rushworth, *Historical Collections*, III, 1133.

² Gardiner, *History of England*, IX, 104.

³ Rous (1579-1659) was educated at Oxford and Leyden. He studied law for a short time, but about 1602 retired to the country, where for a generation he devoted himself to devotional and theological writing. He was returned to Parliament in 1625, and was soon regarded as one of the most bitter of the critics of the Anglo-Catholic party. He was a pronounced Puritan until about 1649, when he became an Independent.

⁴ S.P. Dom., *Charles I*, ccccl, 94.

religious problem in the Short Parliament. But enough had been said to reveal the temper of that body and the state of public opinion. Yet in the Convocation, which continued its deliberations after Parliament had been dissolved, there was no indication that the parliamentary outburst or even civil war in Scotland had made the faintest impression on the Laudian party. On May 16th the ecclesiastical subsidies were voted and Convocation passed to the framing of seventeen new canons at the moment when the entire existing church structure had been called into question by Parliament. In particular, the canon which enjoined the ceremonies on the ground that unity of faith should be evidenced by unity of practice added rigid definition to an already inflammatory and dubious question. The body of the new canons framed the Church according to the tastes and theories of the Anglo-Catholic minority, and abandoned the Elizabethan conception of a broad and tolerant communion.¹ To force the clergy to subscribe to this formulary was certain to invoke a crisis; but the hornets' nest was really stirred by the famous *et cetera* oath, which through carelessness or design would have compelled men to swear to positions which were not clearly defined.²

When grave political problems compelled Charles to summons Parliament again on November 3, 1640, the religious issue had reached such a critical stage that compromise and moderation were no longer possible. The great gulf which now separated the Anglican leadership from the Puritans was the wider because neither side was willing or, because of its ideology, able to embrace religious toleration as a solution for the difficulties. Both sides claimed to be the true Church of England and the issue was to be resolved by means which were in no sense spiritual.³ In this struggle Anglo-Catholicism was to show itself to be a pitifully weak minority. Laud's

¹ Gardiner, *History of England*, IX, 143.

² The oath naturally became the focal point of opposition, and it was charged that it set up an insupportable persecution of "most godly and learned ministers." The Council was flooded with protests from those refusing to subscribe. (*S.P. Dom.*, *Charles I*, cccclxiv, 8; cccclxv, 67; *Rushworth*, III, 1263.) So vigorous was the opposition that the Government felt obliged to waive the oath in many cases, though it was required of all ministers who were seeking livings. (*S.P. Dom.*, *Charles I*, cccclxiv, 8.)

³ Feiling, K., *A History of the Tory Party*, 28.

efforts had succeeded in raising up a deep-seated anti-episcopal sentiment in England and had for the moment identified Puritanism with sound Protestantism. There were champions of episcopacy in the early sessions of the Long Parliament but very few of the bishops. The leaders of the Puritan party had been forced by reprisals to embrace Presbyterianism, which offered them tight doctrinal defences and a closely woven organization. They erred grievously in concluding that England had followed them. The mass of Englishmen were still devotedly Anglican; they were ready to reform, or if need be to destroy, episcopacy in order to restore the essentially Protestant character of the Church, but when the Puritan leaders began in the Long parliament to attack the Prayer Book the solid ranks of the Parliamentary opposition were burst asunder. As a consequence of this rejection of Presbyterianism England was eventually to find her footing on the ground of religious toleration.

B. POLICY TOWARDS ROMAN CATHOLIC NONCONFORMITY, 1625-1640

I. ATTACK ON THE GUARANTEES OF THE FRENCH MARRIAGE TREATY, 1625-1627

As we have indicated, Charles and Buckingham had broken solemn promises which James had made to Parliament and had seriously impaired the possibilities of Roman Catholic toleration by the concessions which they had made in the French marriage treaty.¹ When Charles's first Parliament assembled on June 18, 1625, the members were not slow in protesting vehemently against the steps which the Government had taken to redeem the commitments which had been made to France, commitments which did extreme violence to the temper of the country.² The feeling against the Papists, and against the French match, was very strong in this Parliament, especially amongst the Puritans, who were already alarmed at the favour which the young King was showing to the Anglo-Catholic party.

The speaker was instructed to request the King "really to

¹ *Vide ante*, 111-114.

² *V.P.*, xix, Int., xix.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

execute the laws against the wicked generation of Jesuits, Seminary Priests, and incendiaries, ever lying wait to blow the coals of contention." At about the same time, Parliament expressed the hope that "once the queen is in this realm the king will value the satisfaction of his own subjects and the observance of the laws, more than his obligations to the Catholics out of consideration for France."¹ This blunt attack on the structure of the marriage treaty deeply disturbed the Council, and Williams was instructed to endeavour to prevent further consideration of the question by assuring Parliament that the King would employ proper measures for the defence of religion.²

So strong were the sentiments of the House, however, that debate could not be repressed, and feeling mounted high against the Papists and Buckingham, who was now held responsible for the King's weaknesses.³ The members steadily pressed the Government for a promise to restore the execution of the penal laws and to banish the missionary priests who were once more widely dispersed in England.⁴ Sandys and Pym on June 25th pointed out the danger which would follow upon the relaxation of the laws against the Catholics. "Such is the restlessness of their spirit, that if they gayne but a connivencye, they will presse for a toleration, then strive for an equallitye, and lastly aspire to such a superioritye as may worke the extirmination both of us and our religion."⁵ These sentiments expressed the views of the Commons and a petition was drafted which requested that the penal laws should be fully enforced and that the silenced Puritan ministers, who were regarded as the most valuable opponents of Rome, should be reinstated.⁶ A few days later the petition was voted by the Commons and was sent to the Lords with minor modifications. The feeling was generally entertained that Parliament would grant the financial requests of the King when satisfaction had

¹ *V.P.*, xix, 70.

² Gardiner, *History of England*, V, 339.

³ *V.P.*, August 21, 1625, xix, 142.

⁴ *H.M.C. Reports* (11th Report), *Salvetti Correspondence*, July 4, 1625, 24.

⁵ Gardiner, *Debates in the House of Commons*, 19.

⁶ *Ibid.*, 21, 22 ff.; *V.P.*, xix, 143. Other ecclesiastical reforms were also requested.

been given in the matter of the penal laws.¹ The members likewise demanded that Englishmen should be prohibited from attending mass at the Queen's chapel and that a tax should be levied on the goods of all Catholics in addition to the regular recusancy exactions.²

Parliament was adjourned on July 11th to meet again at Oxford on August 1st.³ During the adjournment the Council warned the King that because of the intensity of public feeling it would be necessary to grant the demands of the Petition. Only the Lord Keeper stood apart in this decision on the ground that the King had committed himself in honour, but he too was soon won over by the strong feelings of the majority of his colleagues.⁴ In the meantime, the Bishop of Mende and the twenty-four priests who were to be attached to the Queen's chapel had arrived in London, and English sentiment was further scandalized by the sight of priests about the palace in clerical garb.⁵ The priests whom the Queen had brought to England had not been chosen with any thought of placating English feeling. They had been selected for their zeal rather than for their tact, and "their intention and principal object was the conversion of England." They plunged into their task immediately, arguing points of faith with all who would listen to them, and by their inordinate zeal further excited the suspicions of Parliament and the majority of the Council. They refused to adapt themselves to the English court customs, and "since the French always insist upon being French everywhere" they retained their own speech and manners.⁶ The Queen was bigoted and was dominated by her religious advisers,⁷ and by the time Parliament had reassembled, public opinion was inflamed.

Charles and the Council were deceived in feeling that the religious demands of Parliament were centred largely in its

¹ *V.P.*, July 4, 1625, xix, 98-99. "If his majesty would consent to put in force the laws against the Roman Catholics, and if he would break openly with Spain, he would satisfy Parliament and obtain whatever money he requires, . . ." (*H.M.C. Reports* (11th Report), *Salvetti Correspondence*, August 19, 1625, 29.) ² *V.P.*, xix, 129, 107-108.

³ Rushworth, *Historical Collections*, I, 174.

⁴ *V.P.*, xix, 143.

⁵ *H.M.C. Reports* (11th Report), *Salvetti Correspondence*, July 11, 1625, 25.

⁶ *V.P.*, xix, App. I, *Contarini Papers*, 607.

⁷ *Ibid.*, September 22, 1626, xix, 545.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

requirements concerning the Catholics, and that the Government could secure its financial needs by yielding in this matter. The King had determined to take this step and before facing Parliament again he ordered the Lord Keeper to issue pardons to numerous priests who were still in prison, on condition that the French ambassador should transport them out of the realm.¹ At the same time, he yielded to the French ambassador by ordering the door of the Queen's chapel kept open during the mass and by ruling that English subjects might be present at the sacrament.² The King did not seem to realize that the engagements which he had taken with respect to the Roman Catholics to France and to Parliament were completely contradictory and that serious trouble was inevitable in either the domestic or the foreign sphere.

On the first day of the Oxford session a complaint was registered against the recent release of priests.³ Eliot demanded an investigation to determine who had betrayed the trust of the King. Since Charles had been solely responsible for this step the ministers in the Commons could do nothing more than explain rather lamely that the pardons had been a concession to the French and that the King would endeavour to clarify his Catholic policy in his reply to their Petition. This reply was not satisfactory and fresh demands for an explanation were brought forward.⁴ Conway, in speaking for the Government, stated that the pardons had been issued before the draft of the King's reply to their recent Petition had been completed.

Unlike James I, neither Charles nor Buckingham had any real interest in religious toleration for the English Catholics, and they were quite prepared to repudiate the terms of the French alliance in the hope that funds would then be voted. The King accordingly informed Parliament that its requests concerning the Catholic policy would be granted,⁵ and steps were undertaken immediately to resume the enforcement of the recusancy laws.⁶ Despite the vigorous protests of the French

¹ Gardiner, *History of England*, V, 377.

² *V.P.*, xix, 118.

³ Gardiner, *Debates*, 68-69.

⁴ Rushworth, *Historical Collections*, I, 180-181.

⁵ *Ibid.*, I, 181-186.

⁶ *Writ to Ministers and Judges to put laws against Recusants into effect, pursuant to a petition of both Houses of Parliament*, November 11, 1625, *Harl. MSS.*, 597, 185.

ambassador, the collection of recusancy fines was resumed and the judges were ordered to enforce the penal statutes.¹ Three days after this order had been issued the Venetian ambassador reported that the French had demanded the fulfilment of the terms of the treaty.² He had little sympathy for the French position, however, since they had been high-handed and had succeeded in exciting suspicion "that they will stir up a rising among the Catholics, who are suspected of ill will and sedition. This behaviour will only worsen the position of the Catholics, who are being disarmed, . . ."³ Despite strong representations from the French, the Government did not immediately slacken the rigour of its policy,⁴ and steadily declined to discuss the toleration clauses of the marriage compact.⁵ None the less, Pesaro, the Venetian ambassador, felt that Charles was doing all he humanly could for the Catholics within the framework of the existing laws, and suggested that the Catholics might benefit materially if the friction between the King and Parliament were to continue for long. But he felt that the King could do little for the Romanists so long as he was obliged to keep Parliament in session. He wrote that the Catholics realized this fact and that they were consequently endeavouring in every possible way to widen the rupture between the King and Parliament.⁶

An even shrewder observer reported a few days earlier that the Catholics were becoming discouraged and that the King's incompetency and duplicity might provoke serious difficulties. "The Roman Catholics, . . . daily lose ground. They have been disarmed this summer, and this day an edict has been published limiting their residence to certain districts. Some priest or other is imprisoned almost daily and the penal laws are enforced against them rigorously. Not a few of them, wholly unable to bear this persecution, deprived of the protection of the king and of the laws and of two thirds of their incomes, at last worn out, conform little by little to the customs of the country. Seeing the march of events, and the incom-

¹ *V.P.*, November 3, 1625, xix, 198.

² *Ibid.*, November 14, 1625, xix, 212-213.

³ *Ibid.*, xix, 212-213, 237.

⁵ *Ibid.*, xix, 263, 281, 289.

⁴ *Ibid.*, xix, 229.

⁶ *Ibid.*, February 20, 1626, xix, 325.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

petency with which the reins of power are held it is evident that sooner or later a religious war will break out."¹

Charles's second Parliament (February 6, 1626—June 15, 1626) was chiefly absorbed with constitutional problems and with the impeachment of Buckingham, and gave only incidental attention to the question of the Catholics. Then too, the Government had maintained a repressive policy fairly continuously since the last Parliament and there were few general grounds for complaint. The Government took care to display the proper orthodox enthusiasm while Parliament was in session, and on March 13th Pesaro reported that agents had arrested "many priests and Catholics" who had attended mass at the French embassy. The governmental agents trespassed on the grounds of the embassy and a fist-fight broke out with the French lackeys in attendance there.² In Parliament, so Pesaro reported, there was some feeling that the rigorous measures of the Government against the Catholics were in reality little more than an artifice to distract England from the grave plight of the Huguenots in France.³

A little later in the session, however, Parliament ordered Sir George Paul (a Surrey justice) to raid the Clink, where several priests were imprisoned, and to investigate conditions there. The justice found four priests,⁴ and reported that they were living comfortably and without many evidences of restraint. In fact, one of them had been discharged seven years earlier but had chosen to stay on with his three servants in the comfortable quarters provided.⁵ The agents found a large working library, several altars, images, relics, and numerous other articles connected with the priestly office.⁶ The effects of the prisoners were ordered confiscated and the Commons determined to order a closer confinement. But on the next day the Attorney-General was informed by the Archbishop

¹ *H.M.C. Reports* (11th Report), *Salvetti Correspondence*, February 6, 1626, 43–44.

² It is interesting to notice that the discreet Venetian embassy experienced no difficulties of this kind. "Catholics come here freely, but not one is seditious and there is no suspicion of my actions." (*Pesaro to Doge and Senate*, *V.P.*, xix, 350.)

³ *V.P.*, xix, 351.

⁴ Preston, Cannon, Warrington, and Prator.

⁵ Rushworth, *Historical Collections*, I, 240.

⁶ *Ibid.*, I, 241–242.

of Canterbury that all of the priests concerned, save Cannon, who was old and "medleth not with any factions or seditions," were leaders of the spiritual group who had rendered valuable services to the Government. They had all taken the Oath of Allegiance and had written in its defence. Since they would probably suffer harm if banished to a Catholic country, they must be considered as under the protection of the Government.¹

This well-deserved rebuke did much to chasten the zeal of the House of Commons, and the general question of Catholic policy was not again raised in this session. Nevertheless, another petition against the recusants was presented and an interesting list was compiled of known or suspected Romanists who "now do or since the sitting of the Parliament did remain in places of government and authority" in the kingdom, or such persons who had Roman Catholic wives.² This list, gathered from the general information of the members, furnishes a revealing insight into the strength of the Catholic party in 1626. In all, about 102 Catholics were named as holding important posts. Most notable of these were the Earl of Rutland, Viscount Dunbar, and Lord Scroop.³ There were thirteen Catholics who were members of important commissions. There was a surprisingly large number of Catholic justices of the peace, thirty-six in all, and there were nineteen lord lieutenants.⁴ Only two members of the House of Commons were regarded as Catholics.

Meanwhile the Government was seeking to placate the French by holding out hope that a milder policy towards the Romanists would be undertaken.⁵ In April, Pesaro was informed that Charles had promised definitely to satisfy the French demands directly Parliament had been dissolved.⁶ The Venetian indicated his own belief that such a promise would be very difficult

¹ Rushworth, *Historical Collections*, I, 243.

² *Ibid.*, I, 391-396; and *vide V.P.*, xix, 358.

³ The Earl of Rutland was Lord Lieutenant of Rutland, Northamptonshire, and Nottinghamshire, Commissioner of the Peace and of Oyer and Terminer in Yorkshire, and Justice of Oyer from Trent northwards. Dunbar was deputy Justice of Oyer in Rutland. Lord Scroop was Lord President of the Council in the North and Lord Lieutenant of Yorkshire.

⁴ It should be said that they tended to be concentrated in the counties regarded as Catholic centres.

⁵ *V.P.*, xix, 384.

⁶ *Ibid.*, xix, 391.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

to fulfil because of the strong feeling of the nation.¹ In late May, Charles again stated his desire to ameliorate the condition of his Catholic subjects directly the state of public affairs would permit.² The French ambassador complained that not only were the numerous promises to observe the treaty obligations wholly ignored,³ but the King had verbally forbidden English subjects to attend the services at the Queen's chapel on pain of punishment under the full penalty of the laws.⁴ He threatened that, unless some indication of good intention were displayed, his Government would find itself obliged to retaliate by severe measures against the Huguenots.⁵

During these weeks, when Charles and Buckingham were precariously balancing the demands of the French and the stubborn suspicions of Parliament, the Duke seems to have been engaged in an obscure scheme for securing financial assistance from the wealthy Catholics. It was pointed out that Parliament was demanding further penal legislation and it was suggested that the Government might be obliged to yield in this area in order to secure necessary funds.⁶ Pesaro wrote in July (after Parliament had been dissolved) in such a vein as to indicate that the plan had been widely discussed in London, and said that Buckingham proposed to assure the Catholics executive clemency in return for a loan.⁷

This fantastic scheme came to naught, though it was to be revived in 1627, but it is important in that it shows how little appreciation Charles and Buckingham had of the dangers involved in flying into the face of English public opinion. Neither the King nor the favourite had any real interest in or comprehension of the problem, and they were exploring, tentatively at least, the hazardous possibility of setting one religious group against another. The Catholics, on their part, were becoming disturbed at the rapid shifts in royal policy and their leaders saw that there was real danger that they would be made the pawns in a larger game.⁸

¹ *V.P.*, xix, 403.

² *Ibid.*, May 29, 1626, xix, 433.

³ *Ibid.*, June 12, 1626, xix, 439.

⁴ *Ibid.*, xix, 398, 417.

⁵ *Ibid.*, xix, 451.

⁶ *Ibid.*, xix, 427.

⁷ *Ibid.*, July 10, 1626, xix, 469.

⁸ *S.P. Dom.*, *Charles I*, October 21, 1626, xxxviii, 29, *Thomas Lyddell(?) to Sir Henry Anderson*. "All things are uncertain, sometimes they [the Catholics] are persecuted and again they are eased of a sudden."

All thought of relaxing the laws in return for financial assistance necessarily had to be abandoned when in July 1626 the Queen was guilty of an innocent but damaging indiscretion. While passing Tyburn on July 6th she was informed that here the Jesuit Garnet had suffered the death penalty two decades previously. Garnet had been regarded as a martyr, about whom a large body of legends had evolved, by Catholic Europe, and the pious Queen "stopped near the spot and prayed there so openly that the people noticed it and were scandalised. The matter spread throughout all London and reached the king's ears."¹ The Queen had never been popular and this incident aroused considerable indignation in the capital. Charles, who was furious, ordered all the Queen's French attendants out of the realm and instructed the judges to resume the prosecution of recusancy cases.

During the summer of 1627 the Catholics experienced a fairly severe enforcement of the penal laws, particularly in the London area. When the governmental agents carried their zeal to such a point that sick persons were being taken to gaol from their beds, the King instructed the Council to check such barbarities. Charles had decided that it would be dangerous to seek a special arrangement with the Catholics, but he was far from satisfied by the financial results of the recent enforcement of the recusancy fines. It was estimated that in the previous year the recusants had paid in about £40,000, of which the King had received not more than £2,000.² The King spoke to the Council concerning the subject and suggested that more might be gained if recusancy could be compounded at some reasonable figure.³

The Duke constantly urged upon Charles the view that the Catholics could easily be attached to the Crown by a moderate policy and that they might be employed in such wise as to obviate complete financial dependence upon Parliament. During the winter, therefore, the Government gradually relaxed the severity of repression. The French ambassador likewise made repeated representations along these lines, and in December he was promised that the persecution of the

¹ *Contarini [Paris] to Doge and Senate*, August 21, 1626, *V.P.*, xix, 517.

² *V.P.*, August 7, 1626, xix, 499.

³ *Ibid.*, July 18, 1626, xix, 480.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Catholics would cease and that a score of priests would be released.¹ The French ambassador, Bassom-Pierre, was extremely anxious to allay the growing friction with England, but no lasting understanding was possible on the Catholic question. Charles was finally persuaded to re-admit a smaller group of priests to serve in the Queen's chapel, and promised to recall certain informers and to attempt some further relaxation of the laws.² Several other minor concessions were made and the Duke felt that it would be profitable to explore further the possibilities of extorting financial aid from the Catholics.³

Toby Mathew, a son of Tobias Mathew, Archbishop of York, and a Spanish partisan, was apparently commissioned to enter into negotiations with leading English Catholics for financial aid.⁴ The Catholic representatives, according to Contarini, made a tentative offer of £80,000 a year to the King "on condition of being exempted from all persecution by impositions and domiciliary visits, by which extortions quite 10,000 persons gain their livelihood."⁵ It was pointed out, however, that such a plan would be impracticable under the present administration of the recusancy fines, since the wealthy and powerful Romanists had been exempted from payments, and the lesser Catholics could not assume so large a financial burden.⁶ The laws had been very laxly enforced and the King had derived very little from the payments of the Catholics, while some of his ministers and the informers were finding the fines a lucrative source of income. The Catholics felt that the old method of assessment, by which, technically at least, two-thirds of their property was liable to seizure, was preferable to a new and carefully administered assessment of one-third.⁷

¹ *V.P.*, December 4, 1626, xx, 39; December 11, 1626, xx, 51. The arrival in England, during this month, of the papal breve which forbade Catholics to take the Oath of Allegiance (*S.P. Dom.*, *Charles I*, xxvii, 35) should have warned Charles that no satisfactory understanding was possible.

² *V.P.*, November 13, 1626, xx, 9.

³ *V.P.*, xx, Preface, ix; Appendix, 2, 615.

⁴ *Contarini to Doge and Senate, V.P.*, January 1, 1627, xx, 78.

⁵ *Idem.*, Contarini said that the financial scheme originated with Buckingham's mother, who was dominated by the Jesuits and who always showed great originality in making money. He said, too, that the Duke was anxious to gain the support of the Catholics in order to counterbalance the implacable opposition of the Puritans. (*V.P.*, January 29, 1627, xx, 106.) ⁶ *Idem.*

⁷ *V.P.*, xx, 292.

In February 1627 the King appointed a commission to investigate the grievances of the Catholics and to consider some system of payment which would at once ease the burden of the Catholics and increase the amounts which reached the treasury. As a gesture of good faith all repression in the London area was ordered to be terminated,¹ and a short time later a plan was announced whereby Catholics whose lands had been confiscated could lease such properties on favourable terms.² Contarini reported in December that an agreement had been reached in the north whereby the Catholics were to be permitted the free exercise of their faith in their own homes in return for the payment of an annual tenth.³ Negotiations were continued towards a similar agreement in the south. But it was now known that Charles would be obliged to convene Parliament shortly and since both the Government and the Catholics realized that such an arrangement would be blasted during the first days of the session the plan fell through. From the Government's point of view, the whole discussion had been prompted by the urgent need of funds rather than by any genuine interest in the liberties of the Catholics.

2. PARLIAMENTARY CRITICISM, 1628-1629

The elections to Charles's third Parliament (March 17, 1628—June 26, 1628) went heavily against the court. The King had done nothing to alleviate the constitutional grievances which had been so strongly criticized in the last Parliament, and the business of this session was largely concerned with the debates on the Petition of Right. But neither the Anglo-Catholics nor the Catholics were neglected by the Puritan members.

On March 24th the Lords took the initiative by framing a petition which asked that the laws against recusancy should be fully enforced and that English subjects should be prohibited from attending Catholic services at the Queen's chapel and at the foreign embassies.⁴ A few days later the two Houses held a joint session to consider the proposed petition. The

¹ *V.P.*, xx, 130.

² *Ibid.*, March 1627, xx, 154.

³ *Ibid.*, December 27, 1627, xx, 530.

⁴ *L.J.*, III, 698, 699.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Commons were anxious to add a clause which would request the King to take the children of Catholic parents away from them and to arrange for their education in the Protestant faith.¹ It was indicated, however, that the King would never consent to such a drastic step and, since it would endanger the reception of the entire petition, the proposal was withdrawn. Sir John Coke rose to speak on behalf of the Commons. He held that the mild treatment which had been displayed towards the Romanists had caused them to become arrogant and confident. "They do now both vaunt at home, and write to their friends abroad, that they are in peace, that they hope all will be well, and they doubt not to prevail and win ground upon us."² Following Coke's speech, the joint petition was accepted.

Contarini, writing some weeks later, analyzed the temper of Parliament on the Catholic question. He felt that the Catholics were gravely endangered because the Commons were linking the recent favour towards the Romanists both with Arminianism and with Charles's absolutist tendencies. The Commons attacked both the connivance of the Government in allowing the laws to remain unenforced and the favour which had been shown to Catholics in high places. The recent scheme for compounding the recusancy fines was denounced as "a sort of liberty of conscience, whereby their number increases daily in the kingdom, and especially round London and the suburbs, whither many familles [sic] flock on account of the public connivance at the masses in the queen's palace and elsewhere, while they hold very perilous meetings among themselves."³

On March 31st the petition was delivered to the King by the Lord Keeper,⁴ with a rhetorical preface by the two Houses. "The husbandman knows that weeds are not destroyed at one weeding. These are growing evills, they are weeds of a spreading nature: and we that come from all parts do think it our duty to tell your majesty, that Gods vineyard is not yet cleansed, . . ."⁵

¹ *V.P.*, April 5, 1628, xxi, 46.

² *L.J.*, III, 704, and *vide* Rushworth, *Historical Collections*, I, 514.

³ *V.P.*, July 10, 1628, xxi, 171.

⁴ *L.J.*, III, 706.

⁵ Rushworth, *Historical Collections*, I, 515.

The King accepted the petition and agreed to meet its specific requests. He informed Parliament that "the mildness that hath been used towards those of the popish religion, hath been upon hope that foreign princes might be induced to use moderation towards their subjects of the reformed religion: . . ." ¹ However, he had almost lost hope that this good result could be effected, and he admitted the existence of the evils which the petition had rehearsed.

Charles, quite characteristically, gave the resident Catholic ambassadors a very different impression of both his views and his intentions. Early in the session he had given definite assurances that he would not permit fresh legislation and that the mild policy would be continued.² In the heated closing days of the session, Parliament returned to the earlier proposal that Catholic children should receive a Protestant education, and it was resolved to annul the financial agreements recently undertaken with the Catholics. When they received the intelligence that bills to these ends had been passed, Contarini and the Savoyard ambassador hurried to the King in order to intercede for the Catholics. Contarini quoted the King as having said that "he did not approve of all that Parliament required nor yet of so much rigour against the papists, but it was necessary to keep them somewhat curbed, as they were sometimes seditious."³ The Venetian felt that the King was actually very favourably disposed towards the Romanists and left the audience with the impression, which was correct, that Charles would reject the bill.⁴

But the Catholic ambassadors had been deceived. Shortly after the prorogation the King issued a proclamation which announced the resumption of the recusancy fines and called for the arrest of all priests.⁵ During the remainder of the year the recusancy laws were enforced with considerable severity,

¹ *L.J.*, III, 714.

² *V.P.*, April 16, 1628, xxi, 60.

³ *Ibid.*, July 10, 1628, xxi, 167.

⁴ *Ibid.*, xxi, 167, 168. Indeed, Contarini had the impression that some plan would be announced after the prorogation by which the Catholics would be able to "make an agreement with the king to live with a quiet conscience." (*Ibid.*, xxi, 187-188.)

⁵ *S.P. Dom.*, *Charles I*, cxii, 16 (August 3, 1628); *V.P.*, xxi, 242.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

but by the beginning of 1629 the King had once more determined upon a policy of leniency.¹

During the second session of the Parliament (January 20, 1629—March 2, 1629), the members were so completely absorbed with the growing menace of Anglo-Catholicism that almost no consideration was given to the Roman Catholic problem. During a lull in the debates a question was raised about the recent reprieve of the Jesuit More.² Coke explained that "the K[ing] being merciful in case of blood, gave direction for the reprieving the condemned priest," but the Commons were in no mood to accept this reply.³ The Chief Justice was summoned and made it clear that the reprieve had been granted at the King's express command and the Commons, still unwilling to attack the Crown directly, let the matter rest.⁴

3. THE PERIOD OF PERSONAL RULE, 1629-1640

a. *Public Outbursts Provoked by Roman Catholic Excesses*

With the dissolution of Parliament the period of personal rule began, and during this decade the King gave a large measure of protection and freedom to the English Catholics. The occasional bursts of restraint were usually caused by an excess of Catholic zeal which outraged public opinion too seriously. Such an instance occurred shortly after Parliament had been dismissed. A zealous group of Capuchin priests had recently arrived from France to join the Queen's household with funds in hand for the erection of a church in which their activities were to be centred.⁵ When these facts became known in London, public indignation was so great that the King felt it politic to forbid Englishmen to attend services at the embassy churches and issued instructions for the enforcement of the laws.⁶ Soranzo, who had recently arrived in London as Venetian

¹ The Venetian reported that in October the laws were being strictly enforced. (*V.P.*, xxi, 366.) A short time later a Jesuit named More was condemned to death, but his sentence was commuted by the King. (*V.P.*, xxi, 447.) Charles seemed to have relaxed the enforcement of the penal laws shortly after this incident. ² *Vide* preceding note.

³ Rushworth, *Historical Collections*, I, 656.

⁴ *Ibid.*, I, 657-658.

⁵ *V.P.*, March 1, 1630, xxii, 298.

⁶ *Ibid.*, March 22, 1630, xxii, 304-305.

ambassador, blamed the imprudence of the French priests for the new restrictions. They had insisted on preaching in their conspicuous habit, and the plan for the erection of a new church had been ill advised.¹ Then, too, public opinion had been greatly excited by the open toleration of worship in the Queen's chapel and at the various embassy churches. Accordingly, on March 24th, guards were stationed at twenty paces from the Catholic embassies and all English subjects coming out from mass were arrested. On the next day those attending services at the Queen's chapel were detained. The French ambassador excited the feelings of the Queen by pointing out that the marriage treaty had been flagrantly violated and registered a vigorous protest with the King. Henrietta Maria made an issue of the incident and refused to see any members of the Council, which she held responsible for misleading her husband.²

Public opinion had been profoundly stirred, and when on the following Sunday members of the French and Spanish embassies attacked governmental agents and rescued from them English Catholics whom they had arrested, an ugly situation developed. Charles demanded that those responsible should be punished, but was met with the amazing requirement that his own agents should be disciplined. Thus, once more, foreign intervention in domestic affairs was bearing its inevitable fruit. The canny Venetian ambassador wrote that he was not following his colleagues' lead in protesting against the recent arrests since he considered the indiscretions of the Catholics to be the principal cause, and since those who had been detained had been promptly released. He felt that the exertions of his colleagues were serving only to complicate the situation and to inflame public opinion.³

The wisdom of Soranzo's views was vindicated when in early May he reported that riots were occurring every Sunday before the French and the Spanish embassies and that they were growing more serious. Some blood had been shed and London was in a dangerous mood. The Government had

¹ *S.P. Dom.*, *Charles I*, clxii, 62 (March 10, 1630); *V.P.*, xxii, 304.

² *V.P.*, March 29, 1630, xxii, 308-309.

³ *Ibid.*, April 5, 1630, xxii, 315.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

appreciated the restraint of Venetian policy, and all persons arrested at the Venetian embassy had been promptly released. Carleton explained to Soranzo that the King felt obliged to check the Catholic ardour in London and to make it plain that there was to be no liberty of conscience in England.¹

b. Marked Amelioration of the Condition of the Roman Catholics

The restraints of this period were, however, practically confined to London, where public opinion could express itself more freely than in the isolated rural districts. Through the country as a whole the recusants were rarely molested unless there were flagrant violations of the law. Thus in Oxfordshire there were many recusants amongst the gentry, the Stonors, Chamberlains, and Symeons alone dominating at least seventy-five square miles of the county, and these Catholic families were able to protect both themselves and their lesser co-religionists against the activities of the informers and courts.² It seems clear that the courts generally assumed a negative attitude towards recusancy, desisting from prosecutions unless complaints were filed. The churchwardens were very loath to present their Catholic neighbours, and had it not been for occasional pressure from above, no repressive measures would have been taken.³

In July 1630 Lady Elizabeth Stonor was cited to appear in court at Oxford under charges of recusancy, but sent a servant to plead that she was "infirme and ill at ease," and an adjournment of three months was granted. At the end of that period the servant appeared again to inform the court that her ladyship's coach had broken down, and still another adjournment was granted.⁴ Even when the courts were obliged to act there was little disposition to press the Catholics and normally year-to-year adjournments were granted.⁵ The King himself granted many immunities to loyal recusants and during the period of the Catholic missionary programme these favours

¹ *V.P.*, April 5, 1630, xxii, 337-338.

² *V.C.H.* (Oxfordshire), II, 43.

³ In 1630 a churchwarden was indicted for failure to present Sir Charles Blount for recusancy. He pleaded inability to read or write, and confessed ignorance of the proper form of indictment. (*Ibid.*, II, 44.)

⁴ *Idem.*

⁵ *V.C.H.*, II, 45.

were increased.¹ In addition 'protections' were often granted to Catholics in the form of a letter from the secretary to the judges.²

There were occasionally isolated instances of severe punishment, but in these cases the action seems to have rested upon a civil rather than upon a religious charge. Thus in late 1633 an Irish Dominican was executed by drawing between two horses. He had been in Spain to confer with the viceroy, and it was proved that he had returned to England with the avowed purpose of assassinating the King.³

In general, the condition of the Catholics had improved steadily since the last Parliament.⁴ The penal laws against the priests and the holding of mass were still in force, but for practical purposes had been relaxed. The commutation of rentals on recusant lands, which was fixed by law at two-thirds of the annual rental, was reduced to one-third upon application. Very little is known about the percentage of recusancy payments which reached the treasury, but if a needy and grasping Government was able to secure most of such moneys it may be stated categorically that the recusants were not heavily burdened in this period. During the decade when Parliament was not in session the annual payments fluctuated between £5,200 and £32,000.⁵ It seems, indeed,

¹ Typical of these immunities was one granted by the King to "our trusty and wel-beloved Sir Francis Englefeld . . . being a recusant, is thereby subject to our laws and statutes in that case provided; these are to signify our royal will and pleasure, that no person or persons shall at any time hereafter sue, prosecute, implead, either by way of indictment, information, or otherwise," the aforesaid knight on charges of recusancy. (Rushworth, *Historical Collections*, II, 284.) ² Rushworth, *Historical Collections*, II, 285.

³ Add. MSS., 27962 g.

⁴ V.P., xxiii, 358.

⁵ Payments (when the amount is available) by years:

	£		£
1630	..	..	5,200
1633	..	..	11,000
1634	..	..	26,000
1635	..	..	12,000
1639	..	..	7,800
1640	..	..	32,000

(Dietz, F. C., *English Public Finance, 1558-1641*, 268, 286.) On the basis of the older method of levying fines at the rate of £20 per month for recusancy, even in 1640, only 134 persons would have paid the full fine of £240 per annum. Accepting, for the moment, Gardiner's conservative estimate that there were about 150,000 Romanists in England in 1635, the payment in 1640 would have amounted to only 4d. per person. The fact is that the Government had never used the recusancy payments for the purpose of destroying the Catholics as an economic group, but rather as a source of revenue and as a potential weapon against dangerous Catholics.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

that even the compromise payment of one-third was from the first nominal. Rushworth presents evidence to show that in several instances these payments ranged from 4 to 12½ per cent on the estates in question.¹

c. Continuation of the Feud between the Political and Spiritual Groups; Mission of Dom Leander

The greatest impediment to Catholic missionary effort in England still lay in the long-standing quarrel between the Jesuits and the seculars. The Jesuits had bitterly opposed the appointment of a secular bishop who should be charged with the interests of the English Catholics and who, in a sense, would be responsible for their good conduct. In 1629 their influence resulted in a proclamation banishing Smith, the titular Bishop of Chalcedon. Smith sought refuge in the French embassy, where he remained until 1631, while the Jesuits were active in Rome securing his recall. This incident stirred afresh the coals of dissension and in 1634 the spiritual party resolved once more to distinguish itself from the disloyal political party, which even a Catholic ambassador admitted formed a large portion of the English Catholic communion.² The spokesman of the spiritual group accordingly presented a petition which urged the King to distinguish "between such recusants as voluntarily take the Oath of Allegiance with a resolved conscience of the lawfulness thereof, and such other as either oppose the same or take the same with a scruple of conscience, making distinction between religion and loyalty, and contending that the laws against recusants are only to punish disloyalty."³

¹ Rushworth cites several instances:

Estate	Location	Value	Paid
Widdrington	Northumberland	£500	£60
Anderton	Lancashire	500	20
Harcourt	Staffordshire	200	25
Merry	Derbyshire	600	66
Thimbleby	Lincolnshire	1,500	160
Ellecare	Yorkshire	600	50

(Rushworth, *Historical Collections*, II, 247, but *vide* Lingard, *History of England*, VII, App. G, for his observations on these data.)

² V.P., October 14, 1633, xxiii, 154. "The Catholics of this country are for the most part Hispanophiles."

³ *Clarendon State Papers*, I, 89 (May 12, 1634; endorsed by Windebanke). *Cal.*, I, 43, § 340.

So strained were the relations of the two Catholic groups in England, and so convinced were the advisers of Urban VIII that Charles was prepared to make important concessions to Rome, that in 1634 it was resolved to send an accredited representative of the papacy to London. Dom Leander, a Welshman named John Jones, who had attended St. John's College, Oxford, and who knew Laud, was chosen for the mission. Dom Leander came with the consent and protection of the Government,¹ which was anxious to gain some relaxation of the papal position respecting the Oath of Allegiance. It was pointed out that the Government might take advantage of the existing confusion in English policy at Rome in order to drive out the Jesuits. The Jesuits were viewed as the greatest danger to England, since they drew hundreds of young Englishmen abroad for their education, "raise persecutions against the priests while they escape themselves, and are deadly enemies to the state and religion."²

Father Leander refused to be drawn into the quarrel, however, and took a middle ground on the explosive question of the Oath of Allegiance.³ He felt that the past rigidity of the papal policy had been in part responsible for the suffering of the English Catholics, and suggested that the whole question might profitably be reopened if the English could be persuaded to modify the form of the Oath. The Benedictine, however, was far more interested in the possibility of finding some basis for the reunion of the Church of England with Rome, and there were many surface indications that such an attempt might be fruitful. Charles had treated the Catholics mildly and was greatly influenced by a staunchly Catholic wife. It did not escape the keen eyes of the papal agent that Anglo-Catholicism, which now enjoyed complete royal support, was in itself a very considerable advance in the direction of Rome. There was at least a possibility that the leaders of the Church might be induced to reunite with the ancient communion if

¹ *Fr. Leander to Windebank, Clarendon State Papers*, I, 129 (August 26, 1634). *Cal.*, I, 49, § 379.

² *Thomas Williams (Paris) to Laud, Clarendon S.P.*, August 30, 1634, I, 138. *Cal.*, I, 49-50, § 381.

³ *Fr. Leander to Cardinal Barberino, Clarendon S.P.*, December 8, 1634, I, 180, 185. *Cal.*, I, 55, § 414.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

timely concessions could be made. He therefore recommended that a commission should be appointed to consider the proposal and that the whole question should be aired in an assembly of moderate men from both Churches. He added his personal recommendation that the English should be allowed communion in both kinds, that clerical marriage and the liturgy in the vernacular be permitted, and that the existing English clergy be inducted into the Church by reordination or some other means.

d. The Panzani Mission

Dom Leander died at this stage of the negotiations and an Oratorian named Gregorio Panzani was sent to England to replace him in December 1634. The King did not receive him but appointed Windebank to conduct the discussion. Neither side seemed able to grasp the intentions of the other. Panzani found that there were many Catholics at court and that several members of the Council and, indeed, a few of the bishops were intrigued with the idea of reunion. Charles was interested solely in arriving at some formula whereby the Catholics would be enabled to take the Oath. Panzani was anxious to settle the disputes amongst the English Catholics and, by playing upon the Queen's sensibilities, to obtain better conditions for the Romanists. Correr, the Venetian ambassador, reported on December 28, 1634, that Panzani "continues to sojourn here most freely as the declared minister of the pope, tolerated not only by the court but by the people, to the wonder of every one." Complaints poured in to the Council, but the Queen shielded the papal emissary and the King connived at his mission.¹

The papal envoy was very anxious to establish in England the Bishop of Chalcedon, or some other recognized head of the English Catholic group, who would have semi-official recognition by the Government.² He hoped, indeed, that the King could be induced to receive an English-born cardinal who understood fully the nature of the local problems.³ The first task of this representative would be to reorganize the missionary

¹ *V.P.*, xxiii, 496.

² *Ibid.*, xxiii, 496.

³ *Clarendon S.P.*, December (?) 1634, I, 133. *Cal.*, I, 57, § 429.

programme. Father Leander had already reported that there were 928 priests in England, and urged that the number was too great and that much of their effort was wasted because of the quarrel between the two clerical groups.¹ Greater care and discrimination, he submitted, should be exercised in selecting them, and the very moderate policy of the Government towards the Catholics should not be imposed upon.² Panzani was successful in winning the secular clergy to his point of view but after months of effort the Jesuits were still intransigent.³

Panzani then turned to the more difficult task of testing English sentiment on the possibility of reunion. Windebank, the Secretary, was greatly disturbed by the religious quarrels in England and was casting about for a solution to his own spiritual problems.⁴ The papal envoy saw that Windebank and other influential persons in the ministry and in the Church were anxious to identify the Church of England as closely as possible with the Church of Rome and expressed the hope that important conversions could be made. The King would not consent to the reception of a bishop in England, save on terms which Panzani was not authorized to grant. Windebank's suggestion that the same purpose might be gained by the appointment of a personal agent of the Pope, who would have general supervision over the English Catholics and who would confine his efforts to strictly spiritual duties, was acceptable both to the King and to Panzani. The Secretary expressed hope that reunion could be achieved if the Jesuit and Puritan extremists could only be restrained, and Panzani assured him that Rome would support the Government in its attempts to crush both of these groups. The Secretary further intimated that there was a considerable interest in the possibility of reunion and that toleration would be extended to the Catholics directly they were permitted to take the Oath of Allegiance.

¹ Leander estimated that there were in England 500 secular priests, 250 Jesuits, 100 Benedictines, 30 Franciscans, 20 Dominicans, 20 Carmelites, and 8 others. (*Clarendon S.P.*, December 1634, I, 197. *Cal.*, I, 57-58, § 432.)

² *Clarendon S.P.*, date uncertain, I, 211. *Cal.*, I, 58, § 438.

³ *Memorials of Gregorio Panzani*, ed. J. Berington, 217.

⁴ Gardiner, *History of England*, VIII, 133.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Panzani insisted upon testing these sentiments amongst the leaders of Anglo-Catholicism and was completely bewildered by the uncompromising hostility which he found in Laud. "Where he expected to find more mildness he encountered greater severity, indeed such angry words that he cannot complain of them enough. The Archbishop told him he had made a great mistake if he addressed himself to him with the idea that he would find him so weak as to yield to his persuasions, and to undertake, contrary to his conscience, to his duty as a minister and to his untainted loyalty, to persuade the king to do what he disliked so much."¹ There could be no mistaking Laud's sentiments in the matter. He realized that England would never tolerate such a policy as the Secretary appeared to contemplate and he was not prepared personally to embrace reunion on the terms which the papacy would present. Laud's own policy in this connection was frank, though the group of which he was the head had made these negotiations both possible and inevitable.

Meanwhile Panzani's programme of insinuating Romanism into the highest circles was proceeding with considerable success. Catholicism was much patronized at the court and there was talk in favour of both transubstantiation and celibacy of the clergy.² The Queen assisted the Oratorian in every possible way. Her chapel was open to all Catholics and it was crowded with the Catholic party at court.³ The King's nephew, Prince Rupert, the son of one whom England considered a martyr to Protestantism, was very nearly won over to Rome while visiting his uncle.⁴ The Venetian ambassador, who viewed these fantastic scenes with amazement, reported that Peron, the Queen's almoner, was engaged in winning the support of dignitaries in the English Church. He frequented Protestant homes in his angling for converts, and constantly entertained bishops and other churchmen in his own home, where incessant arguments went on.⁵ Correr wrote that "by means of arguments and persuasion no less than by offers of

¹ *V.P.*, June 27, 1636, xxiv, 12.

² Gardiner, *History of England*, VIII, 136.

³ Montague, F. C., *The History of England from the Accession of James I to the Restoration* (1916 ed.), 191.

⁴ Trevelyan, *England under the Stuarts*, 179.

⁵ *V.P.*, xxiv, 149-150.

great rewards they try to win souls for the Catholic party, and I know that to one of the bishops here, besides other honours and benefices, he has offered the dignity of the cardinalate expressly on behalf of the pope, if he will make open profession of his belief in the Roman church."¹ The Venetian considerably over-estimated the astuteness of the English Government when he concluded that Laud and Charles intended to use the Roman Catholics to crush the Puritans, and that this policy explained their friendly tone.²

If Charles had any doubt about the uncompromising rigidity of the Roman position, he was rightly informed when word reached England in April 1634 that the Pope would make no concession in the matter of the Oath of Allegiance. But Panzani was not to be deterred; he set about at once to secure substantial concessions from the English which might meet with papal approval, and in this work he was greatly assisted by the Queen's private confessor.³ At the same time, his missionary efforts were not relaxed and in July he was able to report that Carlisle accepted the Roman faith save for the political pretensions of the papacy, while Cottington and Arundel were favourably disposed.⁴ He expressed further satisfaction when Lord Herbert confided that he revered Rome as the mother of Churches and that he would like to submit the manuscript of his *De Veritate* to the Pope for approval.⁵ Windebank was hovering on the verge of conversion but was not quite able to shake off his long attachment to Anglicanism. The Queen was deeply involved in the Romanist efforts and under her protection Catholics enjoyed greater liberty than they had ever known in Protestant England. Correr reported that "any one who wishes a celebration [of the mass] in his own house can avoid the danger of the penalty with very slight circumspection. This is all due to the connivance of the ruler, and indicates if not a leaning to the rites of the Roman church at least an absence of aversion."⁶

Panzani was preparing to bring his stay in England to a close, but before leaving he arranged that the Pope should be

¹ *V.P.*, xxiv, 150.

² *Ibid.*, xxiv, 151, 358.

³ *Ibid.*, xxiv, 68-69.

⁴ Gardiner, *History of England*, VIII, 136.

⁵ *Ibid.*, VIII, 137-138.

⁶ *V.P.*, September 18, 1636, xxiv, 69.

represented in England by an agent who should have general charge of the Catholics and that the Queen should likewise be represented by an agent in Rome. Arthur Brett was selected as the Queen's representative, and George Conn, a Scot and a canon of St. John's Lateran who resigned his canonicate in order to meet Charles's requirements, was designated as the resident papal agent in London.¹ Conn took up his residence in 1636 and was well treated by the King, to whom he had ready access. Conn found in the Queen an enthusiastic supporter of his plans,² and his quarters were at once filled with the group which had previously swarmed around Panzani.³ Charles was at this time toying with the idea of reunion, hoping against hope that he might interest the Pope in the restoration of the Palatinate to his nephew. Conn wrote enthusiastically concerning his reception, confiding that there was real hope of reunion, since the archbishop and some of the other bishops "held the opinions of Rome on dogma, and especially on the authority of the pope," who was regarded as truly the vicar of Christ.⁴

Meanwhile Brett had been given detailed instructions which were to govern his conduct in Rome. He was to indicate that several priests had recently been released,⁵ and to emphasize the remarkable leniency which Charles had for so long displayed towards his Roman Catholic subjects. At the same time, he was to intimate that such disabilities as the Catholics suffered resulted from the suspicion which their refusal to take the Oath excited, and to labour to secure a relaxation of the papal views on this subject.⁶ Nor was he to neglect to point out how troublesome the Jesuits had been, and to indicate that if they were not recalled the King would be compelled to enforce the penal laws against his own inclination.⁷

Conn found that Panzani had broken the ground well for his efforts. The Queen was trying to rear her son as a Roman

¹ *V.P.*, xxiv, 303.

² *Ibid.*, xxiv, 97.

³ *Ibid.*, xxiv, 218.

⁴ Quoted in Gardiner, *History of England*, VIII, 138-139.

⁵ Clarendon *S.P.* (October 28, 1635), I, 352; *Cal.*, I, 73, § 559.

⁶ *Ibid.*, I, 354; *Cal.*, I, 73-74, § 560.

⁷ Brett died in April 1636, and was replaced by William Hamilton, brother to the Earl of Abercorn.

Catholic and numerous persons of high dignity had declared privately for Rome. Goodman, Bishop of Gloucester, secretly used the Roman breviary in saying divine offices and desired to keep an Italian priest as his confessor. Cottington had once more declared for Catholicism, and the impressionable Bishop Montague was known to be close to Rome. In a sermon before the King in March 1636 the bishop recommended that the communion tables should be converted into altars and boasted to Panzani that not a preacher in his diocese dared speak against the Pope. All the bishops, he said, save Morton, Hall, and Davenant, were enemies of the Puritans, and, by implication, supporters of Anglo-Catholicism.¹

Conn's first efforts were directed towards easing the restraints which were placed upon those Catholics who refused to take the Oath. Experience had shown that there was very little hope that the Pope could be prevailed upon to accept even a modified formula, and the papal agent now sought to persuade the English to make the necessary adjustments to Roman rigidity. He urged this view so vigorously that he aroused a great deal of opposition. "Already many begin to speak angrily about it, saying that if they permit this licence to the Catholics it will amount to declaring absolute liberty of conscience in England" and thereby make civil dissension inevitable.² The gossip of London was full of ugly and exaggerated rumours of conversions at the court, and it was commonly believed that the Anglo-Catholic group was supporting a deliberate attempt to pervert the Church. It should be remembered, too, that the campaign for the repressing of Puritanism and of Anglicanism was now at its height and invidious comparisons were drawn between their disabilities and the general liberty which the hated Romanists enjoyed. The Puritans grew increasingly bitter,³ and the attacks upon Laud became more and more damaging.

These symptoms of serious unrest were not without their effect upon Laud. He had little sympathy with the fantastic talk of reunion, but realized that Anglo-Catholicism was being blamed for the dangerous developments which were occurring.

¹ Gardiner, *History of England*, VIII, 143.

² V.P., January 2, 1637, xxiv, 120.

³ *Ibid.*, xxiv, 120.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

He was not prepared to champion toleration for both Catholic and Protestant dissent from his narrow ecclesiastical structure, and he realized that if the repression of the Puritans was to continue, similar steps must in logic be taken against the Catholics. To have acted otherwise would have been to court civil war. He had therefore urged in the Council and in his interviews with the King the necessity for calling a halt to the growing scandal of Roman missionary effort. In a sense, however, Laud's whole ecclesiastical policy had made this scandal inevitable and he found himself unable to check a movement which was now deep-rooted. The King was profoundly influenced by the persuasion and nagging of his wife and, though soundly Anglican himself, felt none of the distrust and hatred for Catholicism which Puritanism aroused in him. He refused to believe that a serious religious crisis had developed, and continued to shower Conn with marks of favour.

Charles realized, however, that there were limits to his policy of reconciling the Catholics and binding them to the Crown. In February (1637) Correr reported that the King was willing to consent to modifications of the Oath but that he could not approve the Roman demand that all phrases attacking the Pope should be eliminated. This concession could be effected only with the approval of Parliament, and Charles neither desired to convene it nor had any illusions about securing its consent if it were summoned.¹

The King had insulated himself from the healthy influences of public opinion and seemed to have no sense of the indignation which was mounting so rapidly in England. The Catholics were no longer persecuted; "the public services in the queen's chapel are most freely frequented by very great numbers, while those of the ambassadors are crowded, although the priests constantly celebrate mass in private houses without scruple." Laud was generally regarded as the protector of the Catholics, and was commonly referred to as "the Pope of England." The Venetian envoy, however, had no illusions about Laud's share in current policy; "the well informed know that his aims are very different, and that he lets things run with

¹ *V.P.*, xxiv, 149.

their present freedom not from inclination but from a forced connivance, because he aims at destroying the party of the Puritans, which has grown so much as to cause apprehensions to the government. In order to abase them he can only adhere to those forms which are most objectionable to them."¹ The Venetian admitted, however, that though Laud's motives may have been Machiavellian, the priests were taking the fullest advantage of the existing liberty. Correr wrote that they were preaching feverishly, were making converts in the highest quarters, and were generally consolidating the Catholic position in England.²

During the remainder of the year (1637) the missionary activities which Conn had so carefully organized bore very rich fruit indeed. A number of important if impressionable ladies were converted and Conn was able to report with some truth that Catholicism had been insinuated into the very core of the dominant group. A storm of protest arose when it became known that the sons of some of the greatest peers in England were being educated by Jesuits.³ The King felt obliged to intervene in the interests of Buckingham's children, who were being reared in the Catholic faith by their mother.⁴ The sturdy Anglicans were quite as embittered as the Puritans and charged openly that Laud's recent reformations in the Church were designed to further the cause of reunion with Rome.⁵ The scandal really broke, however, when the crusty Lord Newport, the Master of the Ordnance, complained to Laud that his wife had been converted to Rome by Conn and Montague, and demanded that steps be taken by the Government to vindicate his honour and to prevent such occurrences in the future.⁶ Laud seized upon the advantages offered by this incident and spoke heatedly in the Council against the inordinate favour which had been shown to the Catholics, and demanded that Montague should be disciplined. He insisted as well that the Queen's chapel and the embassy churches should be closed to English subjects and that measures should be taken to curb

¹ *V.P.*, May 29, 1637, xxiv, 217.

² *Ibid.*, xxiv, 217-218.

³ *Ibid.*, January 16, 1637, xxiv, 126. ⁴ *Ibid.*, February 20, 1637, xxiv, 150.

⁵ *Ibid.*, September 18, 1637, xxiv, 272.

⁶ We have followed Gardiner's excellent account of the Newport case. *Vide History of England*, VIII, 239-240.

the unrestrained missionary efforts of the papal agent. Laud had the majority support of the Council in his position, but once more the influence of the Queen on her husband prevented the Government from taking effective measures.

e. Correr's Analysis of the Catholic Situation, 1637

Correr was amazed at the influence which Conn exercised in the determination of governmental policy and was greatly disturbed at the crisis which he realized had now developed. He half suspected that the papal agent was deliberately fomenting civil war in order to increase the King's dependence upon the Catholics,¹ and felt that the Romanists had thereby been placed in an extremely dangerous position. For the astute Venetian had long appreciated the depth of English resentment against both Anglo-Catholicism and the recent favour to Catholicism. He feared, indeed, that the Catholics might well be wiped out when that resentment gained force through political expression. In October 1637 Correr forwarded to his home Government an accurate and thoughtful analysis of the political and religious situation which Charles and Laud would have done well to read and digest. He remarked that the Puritans had been forced by the Crown's policy from a purely religious position to an active and bitter criticism of the whole range of governmental policy. The Anglo-Catholic party had sought to crush them by modelling the Anglican Church along Roman lines. But "the more the bishops dress themselves out with the new constitution, the more the Puritans cling to the bareness of their worship and what is worse, many of the Protestants [i.e., Anglicans] themselves, scandalised by the new institutions, become Puritans from fear of falling into Catholicism if they follow them."²

The activities of the Anglo-Catholic group, so Correr thought, had gravely weakened the Protestantism of England and because of the resulting divisions the Catholics had been able to make notable advances. In the midst of these divisions the unity which Rome offered so constantly had appealed to many men, and Panzani and his successor had taken full advantage

¹ *V.P.*, September 25, 1637, xxiv, 273.

² *Ibid.*, October 24, 1637, xxiv, 300-301.

of this opening. The King had appeared at least friendly towards Rome, and Panzani believed that there were eleven bishops who would favour reconciliation with Rome if reasonable terms could be arranged. But the Venetian realized that Anglo-Catholic extremism was destroying the influence of moderate men and that it was rapidly hardening English Protestantism in the mould of Puritanism. Their efforts had served to embitter the Puritans and to arouse the suspicions of the Anglicans.¹ The brutal punishment of Puritan extremists like Prynne, Bastwick, and Burton, when contrasted with the favour displayed towards the Romanists, had raised public indignation to a fever pitch. Many men, who could endure it no longer, were leaving England for ever.²

The Venetian's analysis of the religious situation showed amazing insight into the forces which had contrived to bring England to the verge of civil war. Laud's policy and definition of the Church had not succeeded in gaining more than a minority following in the Church at large. His reforms and his religious policy generally had unquestionably lessened the gulf which separated the Elizabethan Church from Rome, and Puritan and Anglican resistance had hardened when this became all too evident. Any suspicions which a Protestant Englishman might have had of the drift of Laud's policy were stiffened into convictions when he reflected upon the activities of the Catholics under the protection of the Crown during the past several years. Civil war was at hand to test, amongst other issues, whether England was to be Protestant or no. In such a struggle, as Correr fully realized, the Catholics were exposed to the gravest dangers.

4. COLLAPSE OF THE GOVERNMENT'S CATHOLIC POLICY, 1638-1640

The weight of public opinion and the now frantic representations of the Council finally moved the King on December 20, 1637, to issue a proclamation which, somewhat vaguely, threatened to punish according to the law those persons who converted Protestants to Rome, and which forbade the celebra-

¹ *V.P.*, xxiv, 303-304.

² *Ibid.*, xxiv, 304.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

tion of the mass.¹ Though the provisions of the proclamation were openly flouted in London, and though the Queen's protection of the Catholics was continued, the dream of converting England to Rome had been destroyed. Serious troubles had already broken out in Scotland and the Catholics were wondering apprehensively what vengeance would be wreaked upon them when the King was obliged to summons Parliament.² In the troubled weeks which preceded the convention of the Short Parliament serious riots broke out in London in protest against both Anglo-Catholicism and the Queen's Romanist activities. The Catholic ambassadors were gravely alarmed and warned their Governments that the Puritans were predominant in England,³ and that, though they might have tolerated the old Roman Catholics, the recent missionary programme had enraged the country. The worst fears of the ambassadors were fully realized. The Venetian envoy reported on June 1, 1640, that the King had felt it necessary to instruct the magistrates to resume the enforcement of the penal laws against the Romanists⁴ in order to put an end to the serious rioting which had taken place on May 11th and 12th.⁵ The Catholics appreciated that their fate was bound with that of the King, and the strength of the resentment against them made disaster seem inevitable.⁶ There was a rising demand for crippling legislation against them, and "many Catholics, alarmed by the reports that circulate openly about most severe laws against those who profess the true Roman religion, are hurriedly selling their goods with the intention of" taking refuge abroad.⁷ For it was regarded as certain that one of the first actions of Parliament would be to pass annihilating legislation against the English Catholics.

¹ Rymer, T., *Foedera, conventiones, literae, et cujuscunque generis acta publica*, XX, 180-181. Zonca, the secretary of the Venetian embassy, supplied an interesting analysis of the factors which compelled the King to take this step. (*V.P.*, xxiv, 355, 358-359.)

² *V.P.*, August 12, 1639, xxiv, 563, 602.

³ *Ibid.*, May 18, 1640, xxv, 46.

⁴ *Ibid.*, xxv, 49.

⁶ *Ibid.*, xxv, 78-79.

⁵ *Ibid.*, xxv, 52.

⁷ *Ibid.*, November 9, 1640, xxv, 93.

III

THE MINORITY GROUPS, 1603-1640

A. PURITAN THOUGHT AND ITS RELATION TO THE DEVELOPMENT OF RELIGIOUS TOLERATION

I. THE NATURE OF CALVINISTIC (PURITAN) THOUGHT

A study of the thought of the English Puritans must be approached with the greatest caution. The term Puritanism has always been used loosely and inexactly, and every student of the period has tended to define the movement in terms of his own point of view. This confusion is due largely to the fact that English Puritanism was before the Civil Wars a movement in protest against the existing conception and status of the Church, and it tended, therefore, to absorb and employ men of highly diverse points of view. Under the pressure of the Anglo-Catholic attempt to drive dissent and disaffection from the Church of England, these protest groups appeared for a season to possess cohesion and a common programme, but directly the pressure of the dominant groups was relaxed in 1640-1641, Puritanism exploded into numerous fragments. In particular, the Puritan party, in the period under discussion, seemed to include several groups which were really sectarian and which, though appearing to constitute the left wing of Puritanism, were in fact sharply distinguished from it in several important respects.

It should be emphasized that Puritanism was completely Calvinistic in theology and, though it had been prepared to make material concessions in questions of discipline and church government at the time of the accession of the Stuarts to power in England, it tended, as Laud taught England that the very essence of religion may be changed by the administration of the Church, to embrace Presbyterianism as the only acceptable framework of the Christian Church. Calvinism supplied to Protestantism an adequate and positive definition of the Church, and the Puritans embraced this definition completely. This conception of the Church was inclusive: the

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Calvinists tended to regard all persons within the limits of the nation or parish as its members. As Troeltsch has ably shown, this ideal of a national Church was slightly warped to circumstances whenever Calvinism was faced with widespread diversity, or wherever it found itself, for the time being, a helpless minority group.¹ When it was confronted with a hostile and heterogeneous State Church whose members were not all of the Elect, the Calvinists embraced the voluntary church principle to the extent that they endeavoured to erect a Church of the Saints within the commonwealth. Since this communion of the Saints was held to be God's true Church, they denied the power of the dominant political or religious group to persecute or restrain it. But the voluntary principle was not intrinsic in Calvinism as it normally was in sectarian theory, and it was regarded as a temporary expedient embraced in the interests of survival. Such a condition was, in fact, held to be a blemish upon the Holy Commonwealth. We should therefore not be confused when the Puritans plead for toleration and liberty while victims of a minority position which robs their theory of logical fulfilment. It was ever the intention of the Calvinist to gain power and to frame the national Church in the true mould, and, when that could be accomplished, to repudiate immediately the principles both of toleration and of voluntary organization. At bottom, the Calvinist dreamed of setting up a theocracy,² and Geneva was eternally before him as the fairest example of the Will of God with respect to the organization of the Church.

It was consequently inevitable when the Laudian national Church collapsed during the first months of the Civil War that Puritanism stood forth to demand the erection of a Presbyterian national Church structure from which no dissent should be permitted.

We have indicated elsewhere that Puritanism originated in the Elizabethan period as a protest against certain Catholic survivals in the Church of England, and that as late as the accession of James I the group might have been truly absorbed

¹ Troeltsch, Ernst, *The Social Teaching of the Christian Churches* (N.Y., 1931), II, 658-659.

² *Ibid.*, II, 660-661.

into the Church of England by timely minor concessions which in no sense affected either the doctrine or the framework of the Church of England.¹ The Puritans regarded themselves as members of that Church, and held that the national ecclesiastical structure was a true Church which suffered only from certain surface blemishes. We have endeavoured to show that the Church of England underwent a profound change with respect both to doctrine and to the conception of church government during the period under survey, and that it was in 1640, if we accept the Anglo-Catholic definition as the official statement of the position of the Church, no longer Calvinistic in either regard. The Puritan party had long realized that this transformation was taking place, and they were gradually driven to deny that the Church of England could be considered as the true Church of God unless changes were forced upon it which would profoundly modify both its doctrinal and external forms. They were forced by repression and harsh treatment into an ugly mood of revolt which attracted for the moment every species of religious discontent in England. Their protest rapidly broadened, in the face of unrelenting opposition, into a real religious revival which went far deeper than their demands respecting the organization of the Church. They insisted that reformation in doctrine should be accompanied by reformation in life, and came to insist that personal holiness and spirituality comprised the true essence of religious faith.² This revival raised a mighty spiritual force in England which supplied the impelling spirit of the Puritan revolution, and which was profoundly to modify the temperament and the outlook of the English middle classes for generations to come.

The Puritans were in no sense Separatists, for those groups not only denied that the Church of England was a true Church of Christ, but embraced the voluntary principle of sectarian organization. The Puritans, on the other hand, maintained steadily that they were the Church of England and declined either to recognize or to tolerate any other religious organization within the realm. To the conclusion of the Westminster Assembly the issue was a struggle over the form of the official

¹ Jordan, *Religious Toleration*, I, 239-243, *et passim*.

² Troeltsch, *Social Teaching of the Christian Churches*, II, 678.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Church, waged between the Anglo-Catholic party with its conception of a divinely ordained episcopacy and the Puritans with their idea of a divinely ordered Church.¹ Both parties were completely intolerant, and their intolerance was based upon the conviction that they possessed absolute truth from which no deviation could be permitted.² The Laudian party forced the Puritans into a defensive position, and they guarded what they conceived to be truth with a fanatical and unrelenting intolerance. In their minds there was none of the "relativism" which mortally weakened the intolerance of most of the Protestant bodies. They found in the Bible not only a clear outline of belief and religious practice, but an authoritative scheme for social organization, and this they sought to impose upon England.³ Perhaps no religious group has ever spoken with greater assurance or with a larger appearance of certainty. It remains for us to examine the psychological and doctrinal roots of the tremendous conviction which drove them forward, and to estimate the relation of this force to the development of religious toleration.

Calvinism was distinguished from the other Christian communions principally by the fact that it elevated the doctrine of predestination as the central pillar of its system of religious thought. The Elect have been set aside by God since the beginning of time for the propagation of His truth, for the reception of His blessings, and for the priceless gift of eternal salvation. They are His chosen people, plucked up from the mire of sin and ignorance which engulfs the carnal world, and are led directly and certainly by Him. No man can be saved by his own effort or will. The blessed have existed from the beginning of time, and no power on earth can alter the mandate of God. Since salvation has been predetermined in the mind of God, it follows that no man can speak with absolute certainty respecting the spiritual fate of any man, even of himself. It would follow, logically, that Calvinism should have been completely non-evangelical and tolerant. The damned cannot be

¹ Ruffini, Francesco, *Religious Liberty*, 153.

² *Vide* Henson's comments in this connection (*Studies in English Religion in the Seventeenth Century*, 214).

³ Froude, J. A., *Calvinism* (1871 ed.), 43.

redeemed by the efforts of the Saints, and the Church can do no more than collect to its bosom the Elect of God. Even if the world is engulfed in a tide of error, the chosen will remain chosen. Intolerance and persecution would therefore appear to be folly.¹

At this point, however, certain powerful psychological forces began to manifest themselves in Calvinistic thought. As groups of men were converted to Calvinism and created churches for the true worship of God they inevitably began to examine themselves and their co-religionists in the light of these teachings. They were, at least in the beginning, a persecuted and despised minority. By the crystallizing pressure of persecution; by the act of worshipping together; and by the comparison of their holy estate with the manifest evil and evidences of damnation which they saw about them, the Calvinist congregations soon enjoyed complete conviction that they were of the Elect. This subjective certainty of grace inevitably followed a period of doubt and misgivings in the spiritual life of the individual Calvinist, and gave to him a spiritual strength and a religious certainty which seems almost incomprehensible to an age in which absolute religious truth has been diluted by numerous forces. The Calvinist was possessed with an essentially aristocratic spirit as from the vantage point of the certainty of his election he viewed the sad fate of the damned unrolling before him. He regarded with contempt, occasionally mingled with pity, those about him who gave no evidence of the state of election. Such confidence, such status naturally appealed especially to the rising middle class, which suffered keenly from the fact that it had as yet gained no status in society. Its activities and its point of view were despised by the socially and politically powerful classes, and throughout the sixteenth century it gave ample evidence that it suffered from a deep-seated inferiority complex. These subtle forces, rather than the incidental contributions which Calvinism made to the acquisitive philosophy, probably accounted for the amazing rapidity with which Calvinism spread through the trading and industrial groups.

The intolerance of Calvinism, it may be argued, proceeded rather from its aristocratic character than from its predestinarian

¹ Freund, M., *Die Idee der Toleranz im England der grossen Revolution*, 118.

philosophy.¹ The Saints were the chosen of God, and the world had been created for their enjoyment and for the glorification of God. It was their duty to order the world and to make of it a spiritual kingdom which would approximate as nearly as possible the Kingdom of God in which they were to dwell eternally. There was no hope of converting or saving the damned, but they must be compelled to live so as not to offend the godly. The Word of God as revealed to the Saints lays open to the last detail the doctrine, discipline, and government of His Church. The godly will, through the leadership and revelation of God, embrace this Church, while the lost must be compelled to lend at least formal worship in that Church lest the name and majesty of God be blasphemed. No more arrogant or intolerant philosophy has ever been conceived by the human mind, and we can expect no positive contributions by the Puritans to the development of religious toleration.

Yet since Calvinism was so intensely logical, it could not wholly escape from its underlying logic. The Calvinist was quick to persecute men for blasphemy and heresy, but he could never in reason persecute them in an effort to attain a moral end. Persecution designed to save man from error was wholly vain. Thus the Calvinists discarded completely the Catholic theory of the positive value of persecution. The weak and heretical must follow their own way to destruction. It was but a step from this position to the teaching that persecution is far more likely to hinder the godly than to curb the sinful. Under the Laudian repression several Puritan thinkers approached this doctrine at least tentatively, and there is reason to believe that in time the Puritans might have renounced their own persecuting tenets if the dominant party had extended toleration to them, for persecution was rather more an incidental, though inevitable, derivative of Calvinism than an essential part of its religious philosophy.

¹ As Morley has expressed it, Calvinism "exalted its votaries to a pitch of heroic moral energy that has never been surpassed; and men who were bound to suppose themselves moving in chains inexorably riveted, along a track ordained by a despotic and unseen Will before time began, have yet exhibited an active courage, a resolute endurance, a cheerful self-restraint, an exalting self-sacrifice, that men count among the highest glories of the human conscience." (*Oliver Cromwell*, 50.)

It should be urged, in conclusion, that Calvinism, so long as it adhered completely to the awful austerity and the complete certainty of its original religious philosophy, spread with amazing rapidity and raised to confront Rome the strongest and most highly developed philosophy which any Protestant group has ever evolved. Calvinism alone was able to shed every symptom of inferiority, every evidence of nostalgia for the ancient catholicity, and, denying to Rome even the title of Church, raised in northern Europe a new and powerful spiritual edifice. But directly the pressure from Rome began to relax, and directly Calvinism had established itself as the dominant group in numerous countries, the forces of disintegration began to appear. This disintegration, in its most important form, occurred at the very centre of the Calvinistic philosophy. Gentle and tolerant men, appalled by the austerity and the harshness of the doctrine of election and dismayed by the intolerance which flowed from it in those countries where Calvinism was dominant, began in the early seventeenth century to seek to soften this and related doctrines. The Arminian party in Holland were foremost in this movement and, though the world is under deep debt to them for great contributions to toleration, it must be said that they were to destroy the strength and the vitality of Calvinism and, in a sense, of Protestantism. We shall examine closely the relation of Arminianism to the development of toleration in later pages,¹ but it should be pointed out here that English Puritanism was in no sense weakened by the Arminian teachings.

Calvinism was, however, gravely weakened in England before 1640 by the rapid spread of sectarianism. We have indicated that English Puritanism was obliged by reason of its minority status to champion the voluntary principle after the Laudian persecution had driven its more resolute adherents from the Church of England. Opposing as it did Laud's conception of the Church with rigid and inexorable hostility, Puritanism offered a protective mantle and able leadership to numerous sectarian groups which were in fact quite unrelated to it in religious philosophy. The sects, for their part, found a rich missionary field amongst Puritans who had become disgusted

¹ *Vide post*, 319-349.

with the clash of two intolerant religious systems or who were attracted by the mystical avenues of escape from the harsh realities of the period which sectarianism provided. It is consequently difficult at times to distinguish clearly between Puritan and sectarian thought, particularly in the case of individuals who passed from one camp to the other.

2. THE PURITAN POSITION ON THE QUESTION OF TOLERATION

a. *The Place of the Magistrate in the Church (Bradshaw, Downing, Stoughton, Calderwood, and Pym)*

We shall now briefly examine Puritan thought with reference to the question of religious toleration. As we have sought to indicate in our analysis of Calvinism, the Puritan philosophy was based upon premises and expressed itself in religious terms which were, on the whole, inimical to toleration, and we need therefore examine only a few typical Puritan thinkers.

To the important question of the position of the magistrate in the Church, the seventeenth-century Puritans made but slight contribution beyond the thought of their Elizabethan co-religionists.¹ They made it plain that in the event they gained religious power, the magistrate would be called upon to assist them in the creation of a Church that would advance the Kingdom of God upon earth. Truth progresses but slowly, and the Christian ruler should aid the Church by employing the temporal sword for the rooting out of heresy and blasphemy. The magistrate was held to be the supreme ruler "over all persons civil and ecclesiastical" in the realm.² The prince should be a Christian, but the Church must lend the strictest obedience to him in temporal matters even if he is not.³ He should have supreme civil power over all Churches in his dominions, though as a Christian he should belong to one of them and should be subject to its spiritual discipline.⁴

The Puritans insisted that the Church of England had

¹ Jordan, *Religious Toleration*, I, 243-248.

² (Bradshaw, W.), *A Protestation of the Kings supremacie made in the name of the afflicted ministers* (Amsterdam, 1605), in Neal, *History of the Puritans*, I, 436.

³ *Ibid.*, I, 436-437.

⁴ (Bradshaw, W.), *English Puritanisme* (1605), 32-34.

usurped the rightful power of the magistrate in religious affairs. Stoughton argued in 1604 that true spiritual power, which he defined as the preaching of the Word, the administration of the sacraments, the ordination and deposition of ministers, and excommunication, could not be vested in the ruler, and consequently these spiritual functions could not be vested in the ecclesiastical courts by derivation from the temporal power.¹ The church courts have likewise usurped the proper religious authority of the magistrate "whereby publike peace, equitie and iustice is preserved, and mainteigned in externall things, peculiarily . . . apperteyning unto the persons, or affaires of the church."²

Both the State and the Church can exist without the support of each other, but much is gained when the two powers work in close harmony. In particular, the Church is fortunate when "the magistrate hath both swords, the use of the temporall sword, and the benefit of the spirituall sworde, and when the kirk hath both swords, the use of the spirituall sword and the benefite of the temporall, . . ."³ The spiritual authority of the ruler has been vested in him by divine ordinance and he cannot avoid the responsibility which has been placed upon him.⁴

Puritan thought on this question was not fully developed in the period under consideration because the civil authority was inexorably hostile to its religious pretensions. The Puritans placed extensive and coercive powers in the hands of the ruler, and rulers who did not share their religious views were at the moment exercising precisely those powers against the godly. It is a remarkable tribute to the honesty and courage of the Puritans that they never renounced the coercive power of the magistrate—they were content to wait until God in His inscrutable wisdom had placed them in authority in the State.

Perhaps Pym's speech to the Committee on Religion on November 28, 1621, is the fullest and most reasoned exposition

¹ (Stoughton, W.), *An assertion for true and Christian church-policie* (L., 1604), 50.

² *Ibid.*, 51.

³ (Calderwood, D.), *The pastor and the prelate, or reformation and conformitie shortly compared by the Word of God* (1628), 60.

⁴ D., C. (i.e. Downing, C.), *A Discourse of the state ecclesiasticall of this kingdome* (1634 ed.), 69.

of the Puritan position on this question. Pym spoke respectfully of the King but expressed the fear that his piety might lead him to fatal leniency in religious matters. It must not be forgotten that there are errors of conscience and worship which can do grievous injury to both the Church and the State. For this reason it has always been the duty of the "outward and coercive power of magistrates, to restrain, not only the fruit, but even the seeds of sedition, though buried under the pretences of religion."¹ Pym then proceeded to make a very important shift in the Puritan theory of the coercive power of the magistrate by placing it upon a civil rather than upon a spiritual basis. He pointed to the Papists, who, he charged, not only erred in doctrines and in the form of their worship, but held, on the grounds of religion, beliefs which were dangerous to the State that did not embrace them. The Catholics should therefore be suppressed, not in order to "punish them for believing and thinking," but to prevent them from carrying out as part of their religion practices which are harmful to the State.²

Pym clearly advanced the doctrine that religious error should be punished not so much upon moral grounds as because it was potentially harmful to the State. In so doing he granted that religious persecution as such was either wrong or hopeless. Pym could argue this position without doing any violence to the Calvinistic philosophy and if his position were accepted the Puritans could reasonably claim exemption from repression. He placed persecution squarely upon the basis which the Elizabethan Government had so ably defended. The importance of this position lies in the fact that once the moral obligation of religious coercion is denied, persecution has been placed upon less noble and less easily defensible grounds. Conviction for heresy, under this definition, would be the consequence of treason and not of doctrinal error.

b. The Problem of Heresy ("Certainte Advertisements," Stoughton, Ames, and Prynne)

In his discussion of the duty of the magistrate with reference to religious beliefs which were inimical to the interests of the civil State, Pym approached closely to the problem of heresy

¹ *Proceedings and Debates*, II, 233-234.

² *Ibid.*, II, 234.

and its treatment. The Puritans usually had the Catholics in mind when they considered the question of heresy, and, since they were bitterly hostile to popery, their views on this subject are especially revealing. An anonymous Puritan, writing in the reign of James I, urged the King to relax the laws towards the Puritans, who, he said, were the principal upholders of Protestantism in England, and to exercise extreme rigour against the Catholics.¹ He regarded the conforming Papists as more dangerous than the recusants, "as a secret enimie is more dangerous then an open one, . . ."² They are beyond hope of salvation, so "neyther will any clemencie of princes do them any good without severitie." He recommended that the existing laws against them should be fully enforced and that the pecuniary laws should be made capital.³ And so deeply are they mired in error that he doubted if they should be spared even upon repentance.⁴ In fact, he urged that the Catholics could best show true repentance by willingly and cheerfully undergoing the extreme penalty.⁵

The Puritan apologists were far more willing to place the responsibility for the determination of heresy cases upon the civil State than to concede its delegation to the spiritual courts which were dominated by the bishops. This fact led them during the period under consideration much closer than they realized to Erastianism and to the view, which is an important step towards toleration, that cases of grievous spiritual error should be treated as civil crimes. Stoughton perhaps expressed this position more clearly than any of his contemporaries. He argued that the episcopal courts had retained and usurped a great many jurisdictions properly belonging to the common law courts.⁶ It is generally agreed, he urged, that the King in Parliament may correct, redress, and reform all defects and enormi-

¹ *Certaine Advertisements for the good of the Church and Commonwealth (1615?)*.

² *Ibid.*, 33.

³ *Ibid.*, 34.

⁴ "As also repentance of other sinnes punishable with death, will not free men from death, so it is worthy consideration whether repentance of popish idolatrie, be sufficient to discharge men from the punishment of death." (*Ibid.*, 34-35.)

⁵ *Ibid.*, 35, and *vide* 40-41.

⁶ We are interested, in this connection, only with his consideration of the problem of heresy.

ties in the spiritual realm. Further, the King in Parliament, with the consent of Convocation, "hath power to determine what is heresie, and what is not heresie."¹ He therefore suggested that an act be passed declaring it heresy "opiniative lie, and obstinat lie" to retain, "defende, and publish" opinions which Parliament shall judge to be heretical.² In this way heresy would be defined as a felony, and an accused person would be tried and punished by the common law courts without all the pomp and foolishness of the canon law.³

The Puritan writers were in general agreement that heresy should be severely punished and were not averse to pointing out existing plague spots of error which should be removed. Ames⁴ held that heresy must be vigorously opposed by both Church and State and that, when other agencies had failed, the magistrate should employ the sword. And if the heretics "be manifestly blasphemous, and pertenacious, and stubborn in those blasphemies" they may suffer capital punishment.⁵ Specifically, he regarded popery as a pernicious heresy and would appear to have favoured, at least in theory, the death penalty for stubborn Catholicism.⁶ Prynne, perhaps the most formidable of all the Puritan writers, urged that the Fathers, and Catholic and Protestant divines alike, agreed that it was the highest function of the ruler to nourish the Church and to punish heresy.⁷ With supreme audacity, he added the Anglo-Catholic party, who were even then gaining control of the Church, to the Papists as dangerous heretics who should be repressed.⁸ Parliament has for many years exercised the power

¹ Stoughton, *An assertion*, 121.

² *Idem.*

³ We may have over-emphasized slightly Stoughton's views in this matter. The book is a comprehensive attack upon the bishops, and his recommendations concerning heresy were only a portion of his general argument. Then, too, he wrote with fine irony, and one cannot help feeling that he may have been reducing the arguments for the punishment of heresy to a logical absurdity.

⁴ We are regarding Ames as a Puritan rather than as a "non-separating Brownist," because it is difficult to see that the latter term has much meaning.

⁵ Ames, W., *Conscience with the power and cases thereof* (L., 1643), IV, 12.

⁶ *Ibid.*, IV, 11-12.

⁷ Prynne, W., *The Chvrch of Englands old antithesis to new Arminianisme* (L., 1629), Epistle, A 3.

⁸ *Ibid.*, B ff.

of ordering religion and suppressing heresy, and only clergymen who "are guilty of sophisticating, or betraying the truthe, and doctrines of our church" would deny or hinder the performance of this pious duty.¹

c. The Inviolability of Conscience (Ames, Weemse, "A Trve, Modest, and Iust Defence", and Bradshaw)

Despite their agreement that heresy should be severely punished and their determination to root it out once they had attained power in England, the Puritans gave noble expression to the view that faith cannot be compelled. As we have seen from our analysis of Calvinistic thought, this implies no contradiction in logic, though it gravely weakens the basis of persecution. The ungodly must be restrained and blasphemy must be punished in order to obey the letter of the Judicial Law and to create a fit habitation for God's Church. Yet, no agency of man can bestow faith or saving grace. Thus Ames argued that faith cannot be gained by coercion, and that the use of penalties to secure even external conformity only corrupts the Church and fills it with unclean and unregenerate persons. Unbelievers may be compelled to hear the Word preached in the interests of order and decency, but we should not ascribe to such a policy the efficacy of curing heresy.²

John Weemse, writing in 1636, went so far as to argue that the Jews should be permitted to live in a Christian commonwealth so long as they behaved modestly and refrained from disseminating their religion.³ Nor should they be compelled to the Christian religion, for "it is not the part of religion to compell a man to religion, which should be willingly professed, and not by compulsion."⁴ He further recommended that they should be permitted to exercise their religious rites in their own synagogues.⁵ Neither the Jews nor any other unbelievers can ever be converted to Christ by any means other than the operation of God's Spirit through the agencies of the Church.

¹ Prynne, W., *The Church of Englands old antithesis to new Arminianisme*, Epistle, a.

² Ames, *Conscience with the power and cases thereof*, IV, 9.

³ Weemse, *A Treatise of the Fovre Degenerate Sonnes, Workes* (1636), III, 337-339; and *vide* his *An exposition of the iudicall lawes of Moses, Workes*, III, 57-61. ⁴ *Ibid.*, III, 339. ⁵ *Ibid.*, III, 340-341.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

No religious party ever asserted the sanctity of its own religious views more firmly than did the Puritans. The magistrate must not be resisted and yet the Christian must refuse to obey in all matters which are against his conscience.¹ In fact, "no magistrate that is a Christian will chalenge authoritie to destroy the soule of any man," or attempt to force any man to be guilty of an action against the Will of God.² But if an impious magistrate should seek to impose his will upon Christians, they "shall refuse to doe any such thing so required, and shall patiently and meekely yeeld themselves to any punishment the magistrate shall thinke good to lay upon them without resistance."³ This Christian resistance to commands of the ruler which are contrary to true religion is in truth of the greatest service both to the magistrate and to the State, since by such firmness the manifest Will of God will not be thwarted.

d. Pleas for Liberty of Conscience (Bradshaw and Calderwood)

Closely connected with the Puritan view that faith and conscience could not be forced was their insistent plea for liberty and tolerance for their own conception of the Church. Such pleas for liberty are the typical expression of a persecuted minority party and the historian must treat them with scepticism since they betray little of the attitude which such a group would display once they had gained freedom. Puritan literature is full of such pleas, but it will not be necessary to give attention to more than two of them.

The *Protestation* of the Puritan ministers, which was probably the work of William Bradshaw, sought to prove to the King that the Puritans desired only permission "to worship God according to His revealed will; and that we may not be forced to the observance of any human rites and ceremonies." The Puritans declared that they were "ready to make an open confession of our faith, and form of worship, and desire that we may not be obliged to worship God in corners, but that our

¹ *A True, Modest, and Just Defence of the Petition for Reformation, Exhibited to the Kings Most Excellent Maiestie* (L., 1618), Pref., 12, 16-17.

² (Bradshaw), *A Treatise of Divine Worship* (Amsterdam, 1604), 43.

³ *Ibid.*, 43-44.

religious and civil behaviour may be open to the observation and censure of the civil government, to whom we profess all due subjection.”¹ They expressed a desire to remain in the Church and a willingness to acknowledge the spiritual leadership of the bishops,² “only we pray, that the prelates and their ecclesiastical officers may not be our judges, but that we may both of us stand at the bar of the civil magistrate, . . . without fear of punishment, to justify ourselves to the world; and then we shall think our lives, and all that we have, too little to spend in the service of our king and country.”³

Another Puritan apologist sought to reply to the Anglican charge that the Puritans were uncharitable and contemptuous in their dissent from the Church in matters which were wholly indifferent and which bore no relation to saving doctrines. Calderwood replied that since these issues were by admission indifferent, the Church had no authority to impose them upon those who entertained conscientious scruples against them. He declared that “the Apostles never imposed them upon any people or person, that judged them unlawfull, that they thought that every man should be persuaded in his owne mind, and should doe nothing against, or without the warrant of his conscience; . . .”⁴ He then attacked the prelates, by implication, upon the well-chosen ground that the leaders of the Church were rapidly coming to regard many matters which had earlier been admitted to be indifferent as essential to faith and sound worship. There is always a tendency to urge at first that men accept indifferent matters for the sake of decency and order.

¹ (Bradshaw), *A Protestation of the Kings supremacie* (Amsterdam, 1605), in Neal, *History of the Puritans*, I, 437.

² The change in the Puritan point of view towards the episcopacy during a generation may be observed by comparing Prynne’s sentiments in 1636. He declared that “they, and their lordly function, are none of God’s institution, but of their father the divells, of and from whom they are . . . I know some bishops have beeene godly men . . . and I doubt not that there are some few such now; though their cowardise and silence in God’s cause, in which they now dare not publikely appeare, bee inexcusable.” He held that the bishops were for the most part “feirce, chollerick, furious, proud, haughty, insolent, arrogant, malicious, . . . full of mercilesse and barbarous inhumanity. . . .” (Prynne, *A Looking-glasse for all lordly prelates* (L., 1636), 49, 71.)

³ Bradshaw, *A Protestation*, in Neal, *History of the Puritans*, I, 437.

⁴ Calderwood, *The pastor and the prelate*, 30.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

But inevitably these indifferent things receive enhanced importance and are made necessary.¹ Thus a conception of outward worship which men have been implored to bear with for the sake of unity becomes a conception of doctrine and the very structure of the Church has been changed.

3. SUMMARY

In summary, Puritanism during the period under discussion made little direct contribution to the development of religious toleration. Always at the heart of Puritan thought there resided the firm resolution to transform the Church of England into a national Church after their own ideals. From this Church the Puritans would allow no dissent. This ideal Church was not to reflect the comprehension and the broad tolerance which had been the mark of the Elizabethan Establishment, but was to be strictly framed according to the Word of God, which every Calvinist felt he could interpret with absolute certainty. Puritan theory changed but little during the reign of the first two Stuarts; we have rather the illusion of change consequent upon the rapid shifting of the Anglican Church from its Calvinistic foundations under the leadership of the Anglo-Catholic bishops. As Laud's efforts increased in vigour, the Puritans were driven to embrace Presbyterianism as their church model, having been convinced that the Church of England had strayed so far from its foundations that it could not be regenerated.

We have sought to show that the intense intolerance of Puritanism proceeded chiefly from its conception of the Church and from certain psychological forces which were inherent in the doctrines of Calvinism. At the same time, the Puritan doctrine of persecution was based rather upon disciplinary than upon moral grounds, which in itself represents at least a partial step in the direction of toleration. The Calvinist could never quite shake off the conviction that to burn a man for error was to condemn God for having damned him, and he lacked by the nature of his theology the high moral purpose which has been through all of human history most responsible for bigotry and intolerance.

The Puritans continued to ascribe to the magistrate large

¹ Calderwood, *The pastor and the prelate*, 31.

spiritual powers, but their advocacy of this principle became weaker as it became clear that they were more likely to suffer increasing hardships as time went on than to obtain dominance in England. And it should be remembered that when the Puritans spoke of the functions of the Christian magistrate they always assumed a Calvinistic magistrate in a Calvinistic Church-State. Only then could the two powers work in complete harmony. Lacking the assistance of a magistrate, the Church remains an omnicompetent body which simply strives against additional handicaps.

The view of the Puritans on the subject of heresy and its treatment remained intolerant, especially when they considered the menace of the Catholics to God's Church in England. Many of the Puritan apologists were frank in advocating the death penalty for stubborn heretics and blasphemers, but they were careful to place their theory upon proper grounds. Indeed, so intense was their hatred of the clerical courts and of the bishops that they came very close to advocating that heresy cases should be handled by the civil courts as felonies. This view was surprisingly similar to the Elizabethan position and would, of course, have removed the basis of consideration from spiritual grounds to the sole point of whether a particular error was or was not inimical to the State. This position destroys the structure of the persecuting system and places the discussion on much the same basis as present practice in the matter.

At the same time, the Puritans argued valiantly that neither the State nor any other power on earth could make a Christian or give a man even a glimmering of truth. Coercion, they held, has its spiritual uses but the saving of men from error is not one of them. They continued, too, to stand firm upon the right of private judgment and to insist that the interpretation which an humble parson might put upon the Word of God was quite as likely to be correct as the determinations of the assembled ecclesiastical wisdom of England. In their firm and heroic individualism, which was in reality close to spiritual anarchy, and in their stubborn insistence upon the right of peculiarity are to be found, though they would have been quick to deny it, the rocks upon which religious persecution was to be shattered.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

B. SEPARATIST THOUGHT AND ITS RELATION TO THE DEVELOPMENT OF RELIGIOUS TOLERATION

1. GENERAL CHARACTERISTICS OF SEPARATIST THOUGHT IN ITS RELATION TO RELIGIOUS TOLERATION

The sects, weak and disorganized as they were, made the largest contribution to the development of the theory of religious toleration of any strictly religious group in England during the first half of the seventeenth century. Sectarianism was perhaps an inevitable consequence of certain basic forces inherent in the Protestant Reformation. Its development in the religious life of England had been postponed by the remarkable sanity and tolerance of the Elizabethan ecclesiastical policy, and its progress was somewhat delayed during the reigns of the first two Stuarts by their bitter opposition to this species of religious dissent.

The sect in England rooted itself as a religious group in opposition to the existing institutional Church. The sect tended to deny the claims of the Church to the exclusive spiritual control of all men and women in England, and was able to attack with devastating effect the formal contention that such a territorial ecclesiastical body was a Church composed wholly of believers. The sect was exclusive and attempted to set up definite standards of membership, to impose internal discipline, and to formulate its own government on the basis of an accepted interpretation of the institutions which it claimed were clearly outlined in the Bible.

By definition and by teaching, the sect was inclined to separate itself from the State Church, which it held to be either unchristian or fatally imperfect. It will be observed that in several respects sectarianism is to be distinguished from true Puritanism, though in England it broke away from Puritanism but slowly because of the heavy weight of governmental repression and because of the fearless ability of Puritan leadership. The sects shared with the Puritans a savage hatred both of the bishops and of Rome, and until about 1642 this identity of interest served to hold them at least in a defensive union.

The sects drew their strength and made their peculiar contribution to the development of religious toleration in large

part because they gave logical development to several implications which, though inherent in Protestantism, had been repressed in the interests of order and discipline by the national establishments.

Thus the sects invariably stressed the thesis that it was not only the privilege but the religious duty of every man to read the Bible and to create from it the framework of his own religious life. The right of private judgment was employed to buttress this position and several deductions were derived which authority found it difficult to destroy by logic. The individual Christian was led directly by God, who opened the way of truth to him both by His Word and, upon occasion, by direct revelation. The denial of these Christian prerogatives to any man could be represented forcibly as an unbearable species of persecution and a restraint of truth. At the same time, the judgment and religious view of the sectaries resided in an area of faith and personal experience into which neither reasonable argument nor prohibition could ethically or logically intrude. To deny the sectarian assumption would be to deny the very roots of Protestantism. It was but a step to the conviction, which most of the sects maintained, that toleration was the policy which would best assure the free operation of God's will and truth.

Moreover, the sects tended to give considerable amplification to Luther's teaching of the priesthood of the Christian man. The development of this position, when its weight was added to their assertion of the right of private judgment, had the effect of destroying the religious authority of the Church.¹ The Establishment likewise saw the grave dangers involved in the universal sectarian insistence that the Church was a voluntary body which the State could not create. The sects denied the very existence of national or territorial churches, and, while holding that the invisible Church "conteyneth in it all the elect of God that hath been, are, or shal be," asserted that the true visible Church is a local association of regenerated believers founded upon a willing covenant with each other and with God.² Such religious bodies would possess neither the power

¹ Freund, *Die Idee der Toleranz im England*, 115.

² (Barrowe, H., and Greenwood, S.), *A True Description, out of the Word of God, of the visible Church* (Dort?, 1589), 1.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

nor the philosophy which leads to persecution, and we shall see that the development of the voluntary conception of the Church had by 1640 made highly important contributions to the growth of religious liberty.

We have already mentioned that the sects tended to stress the necessity of personal religious experience as the badge of membership and the hall-mark of true faith. This conception is perhaps the most important ideological contribution of sectarianism to the development of religious toleration. It tended at once to weaken the rigidity of doctrinal structures and to emphasize a mystical and pietistic development which led to notorious religious excesses on the one hand and to a profound spiritual revival in England on the other. This particular tendency was anti-intellectual and during the period under discussion was more typical of the Baptists and other extremists than of the Congregationalists.

The insistence upon the necessity of personal experience and the acceptance of the validity of such experience tended to push doctrinal orthodoxy so far into the background that it became at times almost a matter of indifference.¹ Inspiration of the Spirit took the place of correctness of belief. This species of religious experience spiritualizes religion and makes it so intensely individualistic that it bursts the confines of the Church system and tends to shatter the religious structure into infinite fragments.² Nor will men imbued with such convictions admit that there can possibly be any connection between the State and the religious ideals which they hold. From this point of view a State Church becomes an intellectual absurdity and a spiritual impossibility. It eliminates the State completely from the province of religion and establishes the right of religion to whatever form of organization it may choose to create. Nor will this view admit the validity of ecclesiastical control over doctrinal matters or religious experience. It was argued with conviction that learning and orthodoxy evidently did not in all cases give to men the characteristics of grace and election, while uninstructed men were very often indubitably of the Elect of God. Election and experience were observed to have no connection

¹ Weber, Max, *The Protestant Ethic and the Spirit of Capitalism*, 129.

² Freund, *Die Idee der Toleranz*, 117-118.

THE MINORITY GROUPS, 1603-1640

with learning, and the sects were disposed to distrust intellectualism and to regard orthodoxy as a trap which stifled the advance of truth and as an engine employed by the powerful against the faithful.

In summary, the sectarian philosophy included the most potent dissolvents of doctrinal orthodoxy and of the powerful and repressive State Churches which had yet appeared in Protestantism. The effect of these forces was anarchistic and tended to lead to the indefinite multiplication of sects. We shall observe these disruptive forces at work both within early seventeenth-century Congregationalism and amongst the Baptists. When the hand of repression was removed in 1642 a chaotic swarm of sects appeared as the inevitable progeny of these views. The very fact of this diversity was in itself one of the greatest forces making for toleration. When the Church has been weakened by the exodus of strong minority groups; when sects have survived persecution and have firmly established themselves with the strong roots of a fanatical loyalty to the principles of private judgment and the priesthood of the Christian man; and when the rigidity of the doctrinal systems has been shattered by a mystical religious revival which preaches to all men the necessity of personal religious experience, the wise Government upon viewing this confused spectacle will decide that the toleration of all religious communities which do not break the bonds of civil order and civil decency is the only possible solution for the problem of dissent.

We shall now turn to a more detailed study of the contribution which the sects made to religious toleration, discussing first the thought of the Congregationalists and secondly that of the Baptists.

2. CONGREGATIONAL THOUGHT, 1603-1640, AND ITS RELATION TO THE DEVELOPMENT OF RELIGIOUS TOLERATION

a. *The General Nature of Congregational Thought*

English Congregationalism prior to the Civil Wars occupied a position midway between the church-type and the sect-type, and was related closely at many points to Puritanism. Indeed, so individualistic was the movement and so rapid were internal

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

developments within the Separatist groups that considerable confusion has grown up in the problem of nomenclature. The historian is confronted by a number of terms—Brownists, Barrowists, Separatists, Congregationalists, non-separating Puritans, Independents—which in reality are used very nearly synonymously. We shall employ the term Congregationalism to describe the movement until the period during the Civil Wars when it became generally known as Independency.

Congregationalism developed in close and often confused relationship to Puritanism, but it should be observed again that the two are in no sense identical.¹ In so far as it was truly sectarian, Congregationalism emphasized the complete separation of Church and State; stressed the necessity of personal religious experience; and held that the true Church consisted of a body of communicants who had willingly entered into a common religious fellowship on the basis of a covenant, whether formally or informally announced. The early Congregationalists taught that this voluntary body of saints was a visible fragment within the invisible Church universal, but their interest was concentrated upon the purity and proper functioning of the individual communion rather than upon the somewhat vague idealism of the Church universal.

Moreover, it should be stressed, the early Congregationalists remained Calvinistic in their doctrinal teachings, with, however, a steadily diminishing interest in the question of doctrinal orthodoxy, since the anarchistic force of the principles of individual experience and the right of private judgment was operating to destroy rigidity of belief. Nor did the Congregationalists easily shake off the Calvinistic ideal of a national Church, though this principle in fact belied the very essence of their teachings. Men like Ames and Jacob were of this type. It should be observed, however, that, while they had not wholly lost the Calvinistic nostalgia for a national Church, they were Separatists from the Church of England as Laud and his party defined it. Thus when Higginson wrote that "we do not go to

¹ Professor Williston Walker believed that Congregationalism was a radical offshoot of the Puritan movement. (Art. *Congregationalism* in Hastings' *Encyclopedia of Religion and Ethics*.) Cf. Troeltsch, *The Social Teaching of the Christian Churches*, II, 661.

New-England as separatists from the Church of England; though we cannot but separate from the corruptions in it . . .",¹ it is clear that the Church of England of which Higginson dreamed existed only as a separatist ideal. The first tendency, when Congregationalism was a weak sect, was to emphasize the voluntary and independent character of the congregation and to discuss only incidentally any association of such groups of the elect in a national body. In a later period, when for a brief moment the Congregationalists enjoyed the support of the State, they were not averse to allowing an established Church, with, however, the important reservation that each congregation within it should be left free in matters of internal government and worship.²

We have observed earlier that intrinsic to Calvinism is the urge for the Saints to withdraw from the sin and impurity of the world.³ This tendency received full and logical development in Congregationalism.⁴ What Freund has well called "group-egoism" reached a pronounced form with them, and they developed an amazing disinterest in the outside world. Thus where the liberal churchmen, who were keenly interested in the terrific religious conflicts of the era, proposed as the solution a tolerant distinction between fundamentals and non-fundamentals, the Congregationalists proposed rather that men should be permitted to differ freely on religious questions by separation. "The Churchmen proposed to solve the question from the side of doctrine, the Independents from that of church-government."⁵ They sought to shatter the ideal of an organic State Church and to bestow upon the Congregational fragments of that Church complete religious sovereignty.

Religious toleration was the logical fruit of such idealism and individualism. But before the Congregationalists could take the position that toleration was both necessary and desirable as a solution for the English religious difficulties the last vestiges of the Puritan conception of the Church had to be sloughed off. The Calvinistic literalism and certainty that absolute truth could

¹ Mather, Cotton, *Magnalia Christi Americana* (Hartford, 1853 ed.), I, 362.

² Troeltsch, *Social Teaching of the Christian Churches*, II, 666-667.

³ *Vide ante*, 202 ff.

⁴ Freund, *Die Idee der Toleranz*, 120.

⁵ Seaton, A. A., *The Theory of Toleration under the later Stuarts*, 59.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

be ascertained in religion were, as Tulloch and Lecky have complained, deep-rooted in Calvinism, and these inheritances had likewise to be disowned before toleration could be completely embraced in theory or in policy. Thus the early Congregationalists tended to demand, on the basis of positive right, the liberty to form independent congregations and to deny the right of the State to use coercion in matters of faith, while, at the same time, they not infrequently recommended that heretical sects (by their definition) should be prohibited. That is to say, they denied the efficacy and the justice of compulsion, while denying the right of differing faiths to exist alongside the true faith.¹ This logical inconsistency prevented Congregationalism from making as large a contribution to the development of toleration during the century as it should have made. In general, its thinkers were not willing to grant liberty of worship to any outside the Protestant communions, and not infrequently they would have restricted toleration to the Calvinistic bodies.

This survival of intolerance was dissipated by the practical fact that diversity was increasing rapidly and by the emphasis which the Congregationalists placed upon personal religious experience. Tulloch has well expressed the fact that in so far as toleration is a product of religious thought, its development owes most to the softening of dogmatic harshness by the relativism implied in exalting personal religious conversion and private revelation. This was peculiarly a sectarian contribution

¹ This inconsistency, which arose principally from the conviction that religious truth may be absolutely determined, may best be studied in New England, where the Congregationalists were the dominant party. Dr. Miller, in his excellent *Orthodoxy in Massachusetts*, has shown that the New England Congregationalists were anxious to prove that their religious system was not in fact anarchistic and that it did not spawn even more radical sects. Thus in 1635 a committee of ministers declared that the toleration of many religions in the State would provoke God, destroy the peace of the Church, and dissolve the State. In the Hutchinson case the governing group appeared to be anxious to check the disruptive effects of private revelation and declared that Mrs. Hutchinson "walked by such a rule as cannot stand with the peace of any state; for such bottomlesse revelations . . . if they be allowed in one thing, must be admitted a rule in all things: for they being above reason and Scripture, they are not subject to controll" (Miller, Perry, *Orthodoxy in Massachusetts*, 164). The State claimed no control over the private religious opinions of men, but exercised a very real control over the outward manifestations which heretical opinions would probably induce. This represents no advance beyond Elizabethan theory.

and in its development Congregationalism played an important role.

b. Congregationalism in Holland and England, 1603-1640

We have elsewhere sketched the early history of Congregationalism in England and have commented upon the fact that by the time of Elizabeth's death its thought had been fairly completely developed.¹ In the last decade of the Queen's reign, however, the Government became alarmed at the radical nature of the Brownist teachings, and a severe policy of suppression was undertaken. The leaders of the movement were executed and their followers began in 1593 an exodus to Holland to escape the wrath of the Government.² In 1597 Francis Johnson arrived in Holland as pastor of one group, and at about the same time the congregation in Amsterdam was joined by the learned Ainsworth as teacher.³ It will be well, before proceeding to an examination of Congregational thought, to notice briefly the history of the movement in Holland and England, with special emphasis upon the anarchistic tendencies which are inherent in sectarianism and which are so important in the development of religious toleration.

By 1604 there probably remained no organized Congregational Church in England, though it would seem that numerous persons survived there who were in fact sympathizers. With the failure of the *Apology*⁴ (1604) and the other petitions from the Separatist Churches in Holland to the new monarch for relief and for freedom of worship, the exiled congregations abandoned hope of an early return to England and set about fully to organize their religious system in the sympathetic *milieu* which they found in Holland.

They were soon joined by Thomas White and a group of twelve or thirteen followers who had apparently been members

¹ Jordan, *Religious Toleration*, I, 261-295.

² Burrage, Champlin, *The Early English Dissenters in the Light of Recent Research*, I, 155.

³ *Ibid.*, I, 163.

⁴ *An Apologie or Defence of such true Christians as are commonly (but uniuscally) called Brownists* (Amsterdam?, 1604), which was probably the work of Ainsworth and Johnson. *Vide post*, 248 ff., for an analysis of the thought of this and other petitions of the period.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

of a Separatist church in the west of England.¹ After a short time this band seems to have set up a separate church. This schism led to an acrimonious controversy between Johnson and White with which we are not concerned. But there was likewise not complete harmony in the parent church, for Ainsworth and Johnson fell into a bitter dispute which led in 1610 to the secession of the former with a considerable following.² It is true that the English Separatists had been very considerably influenced by their Arminian and Anabaptist neighbours in Holland, but the violent theological warfare between the leaders and the consequent schism were largely the result of the intense individualism of sectarianism. A group which could not agree to the last detail with the doctrine of government of their own church tended to exercise the right of secession and to set up a new communion. Quite aside from the tolerant implications of Congregational thought, there was a firm guarantee of tolerance in the weakness which resulted from these perpetual schisms. The Brownist Church was further weakened at this time by the secession of John Smyth with a group of followers who had been won to the teachings of the Anabaptists. There was little unity of belief amongst the Separatists in this period. Some of them condemned the Church of England only for its corruptions, while admitting it contained true Christians with whom the godly could have private communion; others denounced it as a wholly false Church with which the godly could have no intercourse.

Ainsworth died in 1622, and it was not until 1630 that the original church in Holland secured a pastor when John Canne was installed in that post.³ But Canne was of a mercurial temperament and had soon embraced Baptist doctrines with a large group in the congregation. Canne and his supporters left

¹ Johnson, F., *An Inquirie and Answer of Thomas White, his Discouery of Brownism* (1605), 63.

² Johnson had come to hold a view of church government which was very close to Presbyterianism, and had vested the elders with large powers in matters of jurisdiction (Clyfton, R., *An Advertisement* (1612), 22-24, 34-35). In this he was a follower of Barrowe, who had in part repudiated Browne's theory of government by holding that, though the congregation should elect the elders, it could not control them or remove them. Barrowe seems to have modified this view in later life.

³ Burrage, *Early English Dissenters*, I, 173.

the church after having been censured and set up a new congregation with Baptist leanings, and the Elder de l'Ecluse was chosen pastor of the parent church.¹

In the meantime another important Separatist church had sprung up at Leyden under the leadership of John Robinson. Robinson had been educated at Cambridge and had entered upon his ministry in or near Norwich, which had long been the chief hotbed of Separatism in England.² Robinson soon embraced Separatist views and was suspended for nonconformity by the Bishop of Norwich. After a short delay he probably attached himself to a Brownist congregation at Gainsborough, one portion of which had already emigrated, and in 1607-1608 he sailed for Holland with the remainder of the group. They found the atmosphere in Amsterdam uncongenial and proceeded to Leyden, where they remained for eleven years before emigrating to America. Robinson, like all the Congregationalists of this period, was sternly Calvinistic in his doctrinal views and during the Arminian controversy, which was soon to reach fever heat, he "disputed daily against Episcopius (in the Academy at Leyden) and other grand champions of that error."³ Robinson gave his church a sane and careful leadership and it was less troubled by internal dissensions than were any of the other Separatist congregations in Holland. Within a few years it numbered three hundred members and had purchased valuable property in a central location in the city.⁴ Still another exiled leader remains to be mentioned. In 1605 Henry Jacob emigrated to Holland where he became the minister to the English Merchant Adventurers' Church in Middleburgh.⁵ Jacob (1563-1624) was a native of Kent. He had been educated at Oxford and about 1590 embraced Brownist principles. During the period of persecution in 1593 he fled to Holland, but returned a few years later only to flee again when he became involved

¹ Paget, E., *An Arrow against the Separation of the Brownists* (Amsterdam, 1618), 32-33. *Vide post*, 251 ff., for an analysis of Canne's thought. Canne seems to have remained in Holland for about eight years longer. In 1640 he appeared in Bristol, where he organized the famous Broadmead Baptist Church.

² Dexter, H. M., *The Congregationalism of the last Three Hundred Years*, 373.

³ Winslow, E., *Hypocrisie Unmasked* (L., 1646), 95.

⁴ Dexter, *Congregationalism*, 389. For a discussion of Robinson's thought, *vide post*, 242-247.

⁵ Burrage, *Early English Dissenters*, I, 290.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

with the authorities because of an attack on Bilson, Bishop of Winchester. Jacob had been won from the ranks of the Puritans to sectarianism and retained throughout his life an affection for the Puritan ideal of a national Church. He seems to have returned to England at about the time of the accession of James I and was a signatory to the Millenary Petition. In 1604 he published his *Reasons taken out of Gods Word and the best humane Testimonies proving a necessitie of reforming our churches in England*, for which he was imprisoned. He was released on bail in 1605 and shortly afterwards left for Holland to take up his ministry at Middleburgh. His church there included not only members of the Adventurers' Company but an ever increasing number of exiles. In 1610 he seems to have won Robinson from his earlier extreme views on the subject of complete separation from the Church of England. During the period 1620-1640 the English Congregationalists, both in Holland and in England, were in a welter of confused ideas concerning the definition of the Church and their own relation to the established religion.¹ These people were formulating a basis of organization and had in fact separated from the organic Church of England, as officially defined, and much of the recent effort to describe men like Robinson and Jacob as "semi-separatists" would appear to be without real meaning. As we have endeavoured to show, even Puritanism was from the point of view of the Establishment a species of Separatism, since it demanded radical changes in the organic structure of the Church. Moderate sectaries of Jacob's type had separated, though they retained a theoretical desire for communion with the godly who had not yet been able to shake off the fetters of the established Church. Jacob taught the voluntary church principle fully and held that the Church was a spiritually perfect corporation of believers. His thought and career demonstrate him to have been a Separatist and a sectary who had not completely emancipated himself from Puritanism.² Jacob remained in Holland until 1616, when he returned to England to found a Congregational church.³ The remaining congrega-

¹ Burrage, *Early English Dissenters*, I, 174-182.

² *Vide post*, 231-242, for a discussion of Jacob's thought.

³ *Bapt. Hist. Soc., Transactions*, I, 209-211.

tions in Holland were strengthened during the Laudian regime by the arrival of exiles from England, who more than replaced those who had emigrated from Holland to America. In 1633 there were twenty-four preachers in English congregations in Holland and it was from this group that Congregationalism in England gained its leadership after 1640.

Though the leaders and the more advanced sectaries had fled from England during the last decade of Elizabeth's reign, and though Congregationalism was represented by no organized churches for some years, remnants of a following remained rooted in the old strongholds. A group of 'Brownists' remained in London, though they were unable to form a church for some years after the accession of James I.¹ Nor were the ecclesiastical authorities able to extirpate the strong sectarian sentiment which for more than a generation had existed in Norfolk. Burrage believes that there were also groups in the West of England,² though there is no evidence of any church organization in that region for some years.

It remained for Jacob to undertake the hazardous task of organizing a church in England. Upon his return to England, and following a consultation with several Puritan divines, he established his church in 1616 and drew up a Confession of Faith as the basis of its organization. The church offered communion and fellowship to the remnants of the older 'Brownist' churches and addressed them as "brothers in the common faith." Dexter regards this church at Southwark as the parent church of modern Congregationalism. The church seems to have included sectaries of all shades of opinion, ranging from members with Baptist leanings to Puritans who had determined to withdraw from their parish churches.

After Jacob's death in 1624, John Lothrop was chosen as pastor of the church. Two years later the congregation was gravely weakened by the emigration of forty of its members to America.³ In 1630 the church was again decimated by a dispute involving the delicate question of the status of the Church of

¹ Burrage, *Early English Dissenters*, I, 184.

² *Ibid.*, I, 186.

³ Dexter, *Congregationalism*, 637; *Bapt. Hist. Soc., Transactions*, I, 213. Lothrop had been "sometime a preacher in Kent," and was described as "a man of a tender heart and a humble and meek spirit serving the Lord in the ministry about nine years to their great comfort."

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

England as a true Church. When one of the members permitted his child to be baptized in his parish church, one group, inspired by Canne, demanded that the congregation go on record as holding that the Church of England was not a true Church. The congregation declined to assume this position and the more radical wing broke away. In 1632 Lothrop's congregation of forty-two persons was apprehended while at worship in a private house, and a few weeks later twenty-six additional members of the church were arrested by the civil authorities.¹ The entire group was imprisoned for a time, but in 1634 only Lothrop and one other member remained in confinement.² In that year Lothrop was released on condition that he emigrate, and with thirty followers he sailed for the New World.³ Meanwhile, the somewhat battered church had been further weakened by the departure of Spilsbury and a group of his supporters, who set up in London the first Particular (Calvinistic) Baptist church in England.⁴ It was not until 1637 that the shattered congregation secured a pastor, when Henry Jessey undertook that somewhat dangerous post. Jessey was a very able leader and within a year the congregation had grown so large that it was deemed prudent to divide it into two churches with Jessey as pastor of one and Praise-God Barebones of the other.

We have dealt at some length with the history of the parent Congregationalist church in England. While it was establishing itself in the London area separatism was spreading rapidly in other portions of the kingdom. Dexter believed that there was a congregation of about thirty persons at Great Yarmouth as early as 1629. It is probable that another church was organized

¹ *Bapt. Hist. Soc., Transactions*, I, 214-215.

² These Separatists were well treated while in prison. "Ye Lord gave them so great favour in ye eyes of their keepers yt they suffered any friends to come to them and they edifyed and comforted one another on ye Lords Days breaking bread" and the like. They were apparently given liberty to repair to their homes and to attend to necessary business. Indeed, so one of their apologists wrote, "In this very time of their restraint ye word was so far from bound, and ye saints so farr from being scared from the wayes of God that even then many were in prison added to ye church" (*Bapt. Hist. Soc., Transactions*, I, 216). It seems that they won no fewer than fourteen converts while in prison.

³ *Bapt. Hist. Soc., Transactions*, I, 218-219.

⁴ Crosby, T., *English Baptists*, I, 148-149; Ivimey, J., *A History of the English Baptists* (1811), I, 138.

in London late in the reign of James I and there was certainly a group of 'Brownists' in Kent as early as 1626.¹ There is also evidence that a missionary campaign in the West of England had borne results well before 1640,² and in 1631 the Bishop of Exeter estimated that there were not less than eleven Separatist congregations in London alone. Laud's strict programme of repression and the general conviction that the Anglo-Catholic leadership of the Church of England was designed to reunite England with Rome were having the effect of driving many men from the Puritan camp into the ranks of the sectarian extremists. Thus Cheynell, who was a bitter enemy of the sectaries, testified that though "in the latter end of King James his reigne, the number of Brownists properly so called, was much decreased," yet when "Bishop Laud began to sit at stern (and so he did a while even in arch-bishop Abbot his time) then the number of Brownists began to encrease, the reason was, because ceremonies began to be urged upon the conscience with so much earnestnesse as if they had been necessary to salvation."³

In 1632 a Brownist conventicle of some size was apprehended in Newington Woods (Surrey),⁴ and in the following year a church seems to have been organized at Chulmleigh.⁵ Laud mentions another conventicle at Ashford in 1637⁶ and there were probably several other Brownist groups in Kent by that date.

During the period preceding the outbreak of the Civil War the suppression of sectarian tendencies was very severe and the true strength of the Congregationalists was concealed by the fact that the more radical and determined of the group were fleeing either to Holland or to America. It was in this period that the great leaders of Independency in the next decade—Thomas Goodwin, Nye, Burroughs, Bridges, and Simpson—fled to Holland. Heylyn tells us that there they filled their churches until it was thought advisable to divide forces. "These

¹ S.P. Dom., *Charles I*, September 1626, xxxv, 110.

² Dexter, *Congregationalism*, 649.

³ Cheynell, F., *The Rise, Growth, and Danger of Socinianisme* (L., 1643), 62-63.

⁴ S.P. Dom., *Charles I*, June 13, 1632, ccxviii, 46.

⁵ Cong. *Year Book*.

⁶ Laud, *Works*, V, 323, 346, 347.

men," Heylyn wrote, "affecting neither the severe discipline of Presbytery, not the licentiousness incident to Brownism, embraced Robinsons model of Church-government in their congregations, consisting of a coordination of several churches for their mutual comfort, not a subordination of the one to the other, in the way of direction or command. Hence came the name of Independents, . . ."¹

The cautious Baxter felt that as late as 1640-1641 the number of Brownists in London at least was "very small, and scarce considerable," but he admitted that they took the lead in stirring up opposition to the bishops and the service of the Established Church.² On the other hand, an Anglican, Robert Abbot, vicar of Cranford, wrote in March 1640 that "these Brownists are not an inconsiderable part. They growe in many parts of the kingdom, and in your deare cuntrey amongst the rest. And though it was thought that the high courses of some bishops weare the cause of their revolt from us; yet now they professe that weare bishops remooved, the Common Prayer Book, and ceremonies taken away, they would not ioyne with us in communion. They stick not onely at our bishops, service, and ceremonies, but at our Church. They would have every particular congregation to be independent, and neither to be kept in order . . . by King, Bishops, Councils, or Synods."³ With the opening of the Long Parliament and the removal of ecclesiastical repression the latent sectarian strength became apparent and Congregationalism spread with amazing rapidity. The fear which the disruptive tendencies of sectarianism inspired may be appreciated by the large number of direct literary attacks on the Brownists between 1640 and 1643.⁴ One of them, *The Brownists Synagogue* (1641), named no fewer than seventeen Brownist preachers with congregations in as many sections of the capital.⁵ Meantime the leaders of Congregationalism had returned from Holland and they were speedily to convert Congregationalism into the great spiritual force which was to be so important in the history of religious and political liberty—Independency.

¹ Heylyn, P., *Cyprianus Anglicus*, 367.

² Baxter, R., *Reliquiae Baxterianaæ* (1696 ed.), I, 26.

³ Abbot to Sir Edward Dering, March 15, 1640, *Stowe MSS.*, 184, 27.

⁴ Dexter lists no fewer than thirty-seven libels in this period.

⁵ Pp. 2-5.

The Congregationalists were during the period under survey principally concerned with the problem of founding a system of church government and much of the thought of their leaders and most of the internal dissensions which waxed strong throughout the period reflect the preoccupation with this question. They were, moreover, a minority sect, severely persecuted at home, and we shall have to exercise caution in evaluating their pleas for liberty. The leaders who had been forced to emigrate, on the other hand, were perhaps more savagely intolerant towards the Church of England than they would have been under more auspicious circumstances. We shall discuss in some detail the thought of the greatest of the Congregational leaders of the period, Jacob and Robinson, and then shall notice the contribution of the minor theorists to the question of toleration.

c. Henry Jacob, 1563-1624

In his consideration of the extent of the magistrate's power in the Church Jacob was influenced by two factors: it was but gradually that he shook off the Puritan ideal of the Church-State, and he was pleading for the toleration of a sect which the State considered dangerous. He therefore gave to the magistrate as large powers in the Church as he could without straining too far the ideal of a voluntary Church or placing in the ruler's hands weapons which could be used to enforce a spiritual tyranny upon the godly.

It is the duty of the Christian ruler to "oversee and order his churches in spirituall matters." He should attempt to supervise and maintain all true visible churches within those limits which Christ has set upon his power.¹ He ought likewise "to cherish and preferre the godly, and religious; and to punish (as truth,

¹ Jacob, *A Confession and Protestation of the faith of certain Christians in England, holding it necessary to observe, and keepe all Christes true substantiall ordinances for his Church Visible and Politicall (that is indued with power of outward spirituall government) under the Gospell* (L., 1616; typewritten copy from the B.M. copy, B.P.L.), art. xxvii. This is the Confession of Jacob's church at Southwark, and it was almost certainly written by him. The church register says that in 1616 Jacob "with ye advice and consent of the church" published the Confession. (*Cong. Hist. Soc., Transactions*, II, 355.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

and right shall require) the untractable, and unreasonable. Howbeit yet alwayes but civilly."¹ These functions, Jacob held, are inherent in the civil power and they may not be delegated to any inferior ecclesiastical jurisdiction. "Though nothing may be imposed on the Christian people of a congregation, against their wills by any spirituall authority . . . yet we affirme withall that the civil magistrat may impose on them spirituall matters by civil power (yea whether they like or dislike), if he see it good."²

It should not be understood, however, that God has granted to the ruler the power to impose spiritual burdens upon the Church. God has reserved to Himself the power to appoint for His Church in spiritual matters. It is unlawful for the ruler to order not only "any ceremonies for the churches use, but also, and that much more, the forme and constitution of a ministeriall church; and it is God's particular honor still to appoint and institute the same."³ God and Jesus Christ are the true framers of the Church; for a ruler to constitute or to order a Church in spiritual matters "is a robbing of Christ," and such a Church is false.⁴

Yet Jacob was anxious to assure James that the Congregationalists impeached his sovereignty "neither in matter, nor manner."⁵ The Church must be firm in reserving to itself its spiritual prerogatives, but since the true Church is composed of only one congregation it is evident that such a body could not, if it would, endanger the sovereignty of the Crown.⁶ "Every Churches power is independent spiritually, and immediat under Christ; our meaning is, that by pretended spirituall authoritie, nothing may be obtruded and imposed on any true Church against their willes. But we grant that civil magistrates may and sometime ought to impose good things on a true Church against their willes, if they stily erre as sometime they may."⁷

¹ Jacob, *A Confession and Protestation*, art. xxvii.

² Jacob, *An attestation of many learned, godly, and famous divines, lightes of religion, and pillars of the Gospell, iustifying this doctrine, viz. that the church-gouvernement ought to bee always with the peoples free consent* (L., 1613), 115.

³ Jacob, *The divine beginning and institution of Christs true visible or ministeriall church. Also, the unchangeableness of the same by men; viz. in the forme and essentiall constitution thereof* (Leyden, 1610), E 5.

⁴ *Ibid.*, F 3.

⁵ Jacob, *An attestation*, 313-314.

⁶ *Ibid.*, 314.

⁷ *Ibid.*, 315-316.

Jacob's thought with respect to the relation of the civil power to the Church was somewhat vague. He granted the magistrate a general oversight of the Church and the power to reform it if it strayed from truth, but it seems clear that he always assumed a magistrate who held the religious views of Jacob's own sect. The magistrate cannot form a church nor can his power intrude into the spiritual life of the congregation. Jacob very astutely pointed out that the State would find no rival and no civil danger if the Church were truly constituted with voluntary congregations as its foundation. Intolerance and persecution rest essentially upon fear, and Jacob intimated that the State would have nothing to fear from such assemblies of the godly.

In considering the nature and the true definition of the Church, Jacob spoke with greater clarity and exactness. In 1604 he defined the "true visible or ministeriall church" as "a particular congregation being a spirituall perfect corporation of believers, and having power in it selfe immediately from Christ to administer all religious meanes of faith to the members thereof."¹ Later, he wrote that the true Church was "a nomber of faithfull people joyned by their willing consent in a spirituall outward society or body politik ordinarily comming togeather into one place, instituted by Christ in His New Testament, and having the power to exercise ecclesiasticall government and all Gods other spirituall ordinances, (the meanes of salvation) in and for itselfe immediately from Christ."² Such a church is a "spirituall body politike of no mo[re] ordinarie congregations then one."³ The Church is founded solely upon the Biblical basis with Christ as its only head, and it consequently has "no povver of outvard compulsion."⁴

Jacob was sensitive to the charges made after the publication of his *Divine beginning* that he was guilty of schism and separation from the Church of England. In 1612 in his *A declaration and plainer opening* he undertook to show that though he had separated from the organic Establishment he had not separated from true Christians within the national Church. He denied

¹ Jacob, *Principles & Foundations of Christian Religion*, in Burrage, *Early English Dissenters*, II, 157.

² Jacob, *The divine beginning*, A 2.

³ Jacob, *An attestation*, 318.

⁴ Jacob, *The divine beginning*, no pagin., and *vide* his *Principles & Foundations*, Burrage, II, 157.

that the Separatists were "so evil as commonly they are held to be," but agreed that they were inclined to be too harsh in their judgment of the Establishment.¹ He declared that he was still willing to partake of public communion in the Church of England since there were accidentally true visible churches and ministers within its organization.² That is to say, within the false framework and organization of the Establishment groups of true believers existed as congregations of the True Church.³ But, as he wrote later, the Church of England errs dangerously in its organization. "Wee believe concerning mixtures of the open prophane with some manifest godly Christians, in a visible church, though at once it doth not destroy essentially, . . . yet truely it putteth that whole assembly into a most dangerous and desperate estate. . . . Insomuch that what soule soever in such a church state desireth to be in safety, ought with all diligence to leave that spirituall society wherein he standeth thus, and joyne to a better." For no saint can long remain uninjected by the gross corruptions in the Church of England. "Wherfore in such an inevitable present danger of our soules, doubtlesse we ought to leave the worse societie, and to enjoy one that is and may be sincere."⁴

Jacob's view of the true meaning and proper organization of the Church would appear to be thoroughly sectarian. He conceived the true visible Church to be a willing organization of regenerated believers and held that no superior power, whether civil or spiritual, could impose any burden upon such a Church. The covenant and order of the Church were God-given, and God continued to lead His faithful with loving and watchful care. It should follow, as well, that such a congregation could not by the very logic underlying its foundations dictate the

¹ (Jacob), *A declaration and plainer opening of certain points, with a sound confirmation of some other, contained in a treatise intituled, The Divine Beginning* (Middleburgh?, 1612), 5.

² *Ibid.*, 6.

³ In his *An attestation* Jacob explains his position further. The particular churches within the Establishment have in them godly Christians "consoiated togeather to serve God (so far as they see) agreeable to his Word," so they are in a true sense members of the true Church, though they are in imminent danger of contamination and ought consequently to separate as soon as possible (305-306).

⁴ Jacob, *A Confession and Protestation*, art. xv.

spiritual life and beliefs of other religious bodies, whether true or false. The sectarian philosophy was tremendously egocentric and its concern with matters outside the Church was limited to those true Christians who were still enmeshed in the perilously corrupt fabric of the national Church. The trend of such a philosophy was towards infinite religious diversity, and even if the sect were possessed with a persecuting logic it would be rendered ineffectual by the fact of the dissipation of ecclesiastical sovereignty.

Since Jacob undertook the dangerous task of erecting a sectarian church in the face of the avowed hostility of the Government, his various attempts to explain the exact nature of his position and his pleas to the Crown for the very right of existence naturally bear directly upon the problem of toleration. He pleaded that the Congregationalists were driven to dissent by an implacable resolution grounded in conscience. They were bound to observe Christ's ordinances for His visible Church which they found wanting in the Church of England. This alone was the "enforcing reason" that had compelled them to erect what they considered to be a fit earthly habitation for God's saints. If it were argued that they disagreed with the Established Church only in matters which were not connected with faith, they could reply in truth that the issues which were alleged to be indifferent were to them of vital concern.

In the *Confession and Protestation*, which the parent Congregational Church addressed to James, the members submitted that their salvation depended upon their cleaving to what they deemed to be the express command of God respecting the polity of the Church. In this "we are cleerely cōmāded to obey God rather thē man . . . where we see that this onely is now Christ's true visible Church, and no other forme of a visible church is."¹ Since they were convinced that no other true form of the Church existed, to have followed any other course would have been to place their souls in the greatest peril.² In the face of such spiritual convictions, they humbly suggested that tolera-

¹ Jacob, *A Confession and Protestation*, art. xxviii.

² (Jacob), *An humble petition to the kings most excellent maiestie, by the Christians notified in the fore-rehearsed Confession and Protestation* (bound with *A Confession and Protestation*), 44-45. This work is quoted henceforth as *A Confession and Protestation*.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

tion was the only possible solution. And earlier Jacob had written, with a veiled intimation of threat, that the Lord will always raise up defenders of His true Church "even until the toleration heereof in England, which hath ben most christianly supplicated for, shal finde grace and favor in his maiesties eyes; . . ."¹

Jacob accordingly proposed that the Government should place the Congregationalists under the special charge of magistrates "qualified with wisdome, learning, and vertue" who would see to it that they carried themselves in an orderly manner and worshipped without offence to the civil State.² He avowed, moreover, that he and his followers were prepared to subscribe both to the Oath of Supremacy and to the Oath of Allegiance.³ This proposal should be compared with that suggested a decade earlier in the *Third humble Supplication of many faithfull subjects in England, falsely called Puritans directed to y^e Kings Maiestie* (1605).⁴ In return for freedom of worship the petitioners expressed themselves as prepared to subscribe to any civil requirements which the Government might impose and to "keepe brotherly communion with the rest of our English Churches as they are now established, according as the French and Dutch Churches do; . . ."⁵ They pledged themselves as ready to render all due obedience and respect to the civil laws of the realm and, if they should trespass upon "good order and Christian obedience" in their religious conduct, to submit willingly to correction.⁶

In the *Humble Supplication* of 1609, which Jacob probably helped to frame, much the same position was assumed in the plea for freedom of conscience and liberty to worship according to the dictates of conscience.⁶ The petitioners described them-

¹ Jacob, *An attestation*, 318.

² Jacob, *A Confession and Protestation*, 46.

³ *Ibid.*, 47.

⁴ In Burrage, II, 161 ff. Jacob appears to have rearranged and corrected the petition, which should be compared with the text of *The Second humble Supplication*.

⁵ *Ibid.*, II, 163-164.

⁶ (Jacob), *To the right high and mightie Prince, James. . . An humble supplication for toleration and libertie to enjoy and observe the ordinances of Christ Iesus in th' administration of His Churches in lieu of humane constitutions* (L., 1609?). The *Supplication* was perhaps of an earlier date. Burrage seems to be of the opinion that it was not by Jacob (I, 285, n. 1), but the weight of opinion ascribes it to Jacob: *vide D.N.B., Short Title Cat.*, B.P.L., Mc.

selves as "silēced and disgraced ministers of the Gospel, together with sundrie others concurring in opinion and persuasion of religion with" them. They pleaded the right to practise and enjoy the ordinances which God had set up for the government and direction of His Church and claimed "an entier exemption from the iurisdiction of the said prelates and their officers. And lastly, this happenes to live under the cōmaund and charge of any your subordinate civil magistrats, and so to be for our actions and cariage in the ministrie accomptable unto them, . . ."¹ They submitted, too, that the form of church government which they desired was far more compatible with civil government than was prelacy. For the bishops have by usurpation founded an estate which they consider as somewhat separate from the kingdom of England.² The petitioners believe, on the other hand, that each congregation has been vested by the Bible with the power to "elect, ordeine, and deprive" its own ministers, and maintain that each congregation should be held strictly accountable by the State for its loyalty and decorum through the watchful care of a subordinate magistrate whom the Crown should appoint to supervise it.³

There are several highly interesting questions which Jacob raised in stating the general grounds upon which the Separatists demanded liberty of conscience. He argued, without a trace of reservation, that the Congregationalists were obliged by the demands of conscience to frame their churches according to certain principles which they held as matters of faith. They insisted that no authority beyond the individual Christian could define the limits of faith or the uncertain area in which necessary faith shades off into indifferent matters. The question was to them one involving eternal salvation and they would accordingly follow the Will of God rather than the ordinances of man. That being true, there remained for the Government only the choice of exterminating the group or of permitting it to exist under some form of toleration. Jacob ignored the first possibility, and in several of his works suggested a framework for the second which evidently owed much to the solution reached in France with the Edict of Nantes. It was proposed that the sectaries be placed under the special care of a group of magis-

¹ Jacob, *An humble supplication*, 8.

² *Ibid.*, 8-9.

³ *Ibid.*, 14.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

trates appointed by the King, who should see to it that they did not contravene the civil laws or act uncharitably towards the established religion. They asked, in essence, that in ecclesiastical matters they should be constituted as a special group outside the existing legal structure.

Jacob then sought to clinch his argument by proving not only that such a policy of toleration was an excellent means of strengthening the State but that it was likewise based upon positive religious grounds.

He pointed out that James had on numerous occasions expressed his clemency towards his Catholic subjects and "you have signified that you intend no persecution against them for conscience cause, and that you never laid any thing to the charge of any for cause of conscience. This giveth us to have great hope and confidence, and to comfort our selves upon the same your royll word."¹ He hints at the dangers to the State which are inherent in allowing a dissenting body to worship privately, and urges that the Brownists be given permission to worship publicly under the restrictions which he had already proposed. This right to meet for worship in "the publike places with peace and protection under your Highnes, would be in this world the greatest blessing and benefite, which our heart desireth, or which could come unto us."² But it was not to be expected that the King would grant this great boon, and the Separatists asked only "that in private peaceably we might serve God with cleare and quiet consciences according to the effect of our fore remembred cōfession, we in all lowlinesse crave but your toleration."³

Jacob clearly and forcibly exposed the barrenness of the Elizabethan contention that conscience was in reality free and the State had no interest in men's beliefs, but that in their formal worship they must conform to the usages of the Established Church for the sake of order and decency. He showed that such a concession was completely meaningless to men who believed themselves to be the Elect of God, and whose spiritual

¹ Jacob, *A Confession and Protestation*, 47. It should be pointed out that Jacob did not extend his plea for liberty of conscience to embrace the Papists "whose head is antichrist, whose worshippe is idolatrie, whose doctrine is heresie, . . ." (*An humble supplication*, 20.)

² Jacob, *A Confession and Protestation*, 47-48.

³ *Ibid.*, 48.

natures would atrophy unless they were permitted to worship as their religious beliefs dictated. "For meetings of a congregation to the joint and common exercise of Gods worship are necessary partes of religion, and duties in conscience, as being Christes very ordinance and commandement. Your majesties wisdome understandeth perfectly that without such meetings, cōmon prayers, and other actes of religion in a congregation, God neither is nor can be served, as He ought to be."¹

In the supplication to the King, of which Jacob appears to have been the author, the argument for toleration was placed upon the broader grounds of State policy. He pointed out that wise kings have often "for the reducing of partialities and troubles in their States to a peaceable issue" granted toleration to dissenting groups. These astute monarchs have followed the procedure of the physician and the navigator; "the one in his cure, the other in sayling, ever hold that course, which observation and trial hath discovered to be fit and serviceable to the endes they ayme at."² A policy of toleration at once removes the original cause and the possibility of the continuation of dissension in religion and it has been successfully practised by the greatest rulers. The Roman emperors wisely followed this course and even encouraged the Christians to set up their own meeting places in order to watch them the more effectively.³ And in recent times Charles V, having failed to procure peace in Germany by persecution, granted freedom of worship to Protestant dissenters. So successful was this policy that the emperor's successor continued it. In France, Poland, Switzerland, Persia, and Turkey toleration has been adopted as the official State policy after repressive policies have failed to end dissension. Indeed, this policy is based upon sound political grounds as well as upon religious reasons. For "the libertie of the Gospell and the free exercise of every part thereof both by doctrine and governement, is observed to be of so harmeles and peaceable a nature and cariage, and so farr from wronging

¹ Jacob, *A Confession and Protestation*, 48.

² Jacob, *An humble supplication*, 20. To this James replied, "Can the devill devyse a more forcible argument for toleration of poperie." (The Lambeth copy of the *Supplication* carries marginal annotations in the King's hand.)

³ *Ibid.* 21.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

any monarch in his soveraintie and publike interest, that the very heathen, the Persian namely and the Turke, give passage and entertainement thereunto."¹ The ruler is vastly strengthened by the removal of dissension which is based upon conscience, and by this policy advances at once the common good and his own honour.

Jacob then passed to an extremely astute argument. It is evidently a maxim of "sound policy" that the constitution and established order of every State should correspond as closely as possible with the nature and character of the people of the commonwealth.² Hence the prince should not lend his favour to one group of his people and alienate another, no less pious and loyal, by forcing them to live under censure and disgrace.³ As a specific example, he suggested that the Puritans were valuable to the State since they were admittedly loyal to the Crown and the most zealous enemies of the Papists, who were highly dangerous to the State. If all the Protestant groups were united to the Crown by an extension of toleration and liberty, the State would be strengthened and the danger from the Romanists would be greatly diminished.⁴ The attempt to enforce religious unity upon England had failed, so Jacob argued, and had only served to increase the differences between the various groups.⁵ Years of trial under Elizabeth and James have proved conclusively that compulsive measures will not cure or allay the religious differences in England, and these methods have been demonstrated to be "an vnseasonable medicine, which doth exasperate and not temper the humors." And even if the machinery of enforced conformity were firmly embedded in the law, "if the inconvenience of the law be greater then the fruite reaped thereby, the said law may with honor to the statute be permitted to discontinue and expire."⁶

¹ Jacob, *An humble supplication*, 23.

² *Ibid.*, 25.

³ *Ibid.*, 26.

⁴ *Ibid.*, 28-29, 31.

⁵ *Ibid.*, 32. "That the present Conformatie and Subscription should in politique discourse and reason determine and not further be pressed, this consideration doth admonish us, namely, that whē the remedie, prepared to cure the disease of the State, doth in the application thereof augment and strengthen the maladie, we ought to forbear all further recourse to the said remedie. Of this nature and effect we finde the urging of the said Conformatie and Subscription to be."

⁶ *Ibid.*, 34.

It must be admitted that the ideal of conformity to which the Establishment is wedded simply cannot be attained. For if the laws regarding religion were rigorously enforced, "the holdes and prisons alreadie designed within this realme to the personal restraint of delinquents, though they were for nūber doubled or trebled, yet would not be capable of so great a multitude, as should be sentenced thereunto."¹ The policy of coercion has already caused thousands to flee from England, and many more are preparing to leave. The services of these people, and of those who have been imprisoned, have been lost to the State and prince.² The rigorous policy of the Church of England is regarded with disfavour by the other Reformed Churches,³ while its progress is watched with joy by the Roman camp.

Jacob's writings reveal a carefully reasoned argument for toleration which is somewhat vitiated, however, by the fact that he was not concerned with the problem in an abstract sense but was pleading for the survival of his own sectarian group. He followed Browne in his emphasis upon the voluntary and spiritual character of the Church. With considerable adroitness he demonstrated that the dissenting views of the sectaries rested upon conscience and that coercion could not change them. He argued that the Government was obliged to grant toleration to such pious and sincere men upon religious grounds, and that this liberty must extend beyond formal freedom of conscience to liberty of worship under reasonable civil safeguards. This policy, he held, would at once strengthen the State and provide a broader basis for loyalty. The dissenters cannot perpetually live in a State where they are distressed and despised. The Government's trial of coercion has been proved wholly unsuccessful and a larger religious freedom should be instituted in order to heal the wounds of both Church and State. But Jacob clearly had no interest in a general extension of religious liberty. He had repeatedly emphasized the necessity of repressing error, he had specifically excluded

¹ Jacob, *An humble supplication*, 37.

² *Ibid.*, 38.

³ To which James replied, "If ye have so great a mynde to forraigne Churches, quhy staye ye heere, goe in Goddes name and make your selfes members of that boddie quiche ye so much affecte."

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the Catholics from toleration, and he had championed the cause of no oppressed group save his own. His contribution lay in the fact that his specific arguments could be employed by other men on a larger plane and that he had indirectly called into question the underlying philosophy of the policy of enforced conformity.

d. John Robinson, 1576?–1625

We have already had occasion to comment upon Robinson's career and his connection with the Separatist movement.¹ There is much justice in Neal's contention that Robinson was the first Independent.² His religious views appear to have matured slowly, and towards the close of his life he grew more tolerant and "became especially distinguished by a breadth of view and tolerance of divergencies of belief which mark him out as a thinker of profound insight and originality."³

Robinson displayed the usual Congregational thought in his consideration of the role of the Christian magistrate in the Church. The ruler has a general care of the Church and should check gross error, but he should not attempt to meddle in questions of faith. Nor should he seek to impose a rigid conformity upon the Church.⁴

In his survey of the *Confession of Faith* published by Smyth's church after his death,⁵ Robinson took the Baptists to task for excluding the magistrate from any authority in the Church. He argued that the Scriptures plainly teach us that the ruler "may alter, devise, or establish nothing in religion otherwise than Christ hath appoynted, but proves not that he may not use his lawfull power lawfully for the furtherance of Christ's Kingdom and Lawes."⁶ Robinson was fearful, however, of

¹ *Vide ante*, 225.

² Neal, *History of the Puritans*, I, 423.

³ Mullinger, J. B., *The University of Cambridge*, III, 164.

⁴ Thus the magistrate may not even impose indifferent things upon the Church, for there is always the danger that these matters will come to be regarded as necessary. And in any case, the magistrates are "not lords but servants of the church, under Christ the only Lord thereof." (Robinson, *Works* (Boston and London, 1851), III, 61.)

⁵ *Vide post*, 269 ff.

⁶ Robinson, *Of religious communion private, & publique. With the silenceing of the clamours raysed by Mr. Thomas Helvise agaynst our reteyning the baptism receaved in Engl.: & administering of bapt. unto infants* (L.?, 1614), 129.

spiritual tyranny, and jealously limited the power of the temporal ruler in religion. The prince may constrain men to outward acts of honesty and justice for civil ends, "but of religious actions the proper end is not civil society, nor is [it] attainable but by faith, and devotion in the heart of the doers."¹ In a sense, the civil Government has only a negative function in religion, for it has "no power agaynst the lawes, doctrine, and religion of Christ; but for the same (if their power be of God) they may use it lawfully, and agaynst the contrary."²

The ruler is all too likely to employ force in religion, forgetting that "neither good intents, nor events . . . can justify unreasonable violence."³ The use of coercion against men's consciences tends to drive them into atheism or other dangerous extremes and thereby to defeat its own end. Robinson sagely observed that "bags and vessels overstrained break, and will never after hold anything."⁴ Men gain a saving faith through the miracle of election alone. Robinson warned the ruler with orthodox Calvinistic logic that his power was limited to compelling men to hear God's Word preached and to restraining public idolatry. Nor should the magistrate be rash in the persecution of a sect which appears to be in gross error. For in such a sect there may be "divers truly, though weakly led," of the Elect of God. Such persecution will be far more pleasing to Satan than to God.

In Robinson's thought we detect the subtle influence which the doctrine of predestination was exercising in the interests of toleration. The magistrate is conceded certain carefully defined religious powers, but Robinson's reservations would seem to deprive him of the right to persecute. There is too much danger that the ruler will by mistaken zeal do harm to the true Church or persecute the Saints. Coercion cannot give men grace, and it serves only to drive them deeper into error.

It has already been indicated that at the beginning of his career Robinson was a Separatist of a pronounced type. In those days he defined the true Church as "a company consisting though but of two or three separated from the world whether un-christian or anti-christian, and gathered into the name of

¹ Robinson, *Works*, I, 41.

² Robinson, *Of religious communion*, 129.

³ Robinson, *Works*, I, 41.

⁴ *Ibid.*, I, 42.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Christ by a covenant made to walk in all the wayes of God known unto them . . . and so hath the whole power of Christ.”¹ He denied that a national Church, consisting of both good and evil men, could be a true Church of Christ and emphasized, with the other Congregational leaders, the wholly voluntary character of the Church. He acknowledged that there were in the Church of England thousands who ‘as persons’ had assurance of election, but held that they were enmeshed in the falseness of her Church communion and popish ordinances.²

In his later life Robinson’s views on church government became less rigid and he was able to look upon the Established Church and other communions differing from his own with greater breadth of view. As we shall observe later, he had become convinced that the Reformed Churches were cutting themselves to pieces with bitter controversies over unessential matters, and he employed all his influence to check this disruptive tendency. As early as 1611 he modified his condemnation of the Church of England so far as to approve private communion with the godly who had not yet separated from her.³

Later, in his *A Treatise of the Lawfulness of Hearing of the Ministers*, he confessed that he retained the same “faith, hope, spirit, baptism, and Lord” which he had enjoyed while a member of the Established Church, and admitted that there were many true Christians in the Church who heard the Word of God truly preached despite the errors of its government and ordinances. We should not, however, read too much tolerance into these sentiments. Robinson made it very clear that for his own part he was in conscience driven to separate from the Church, and simply conceded that within the Leviathan of the hierarchical Church there were ‘accidentally’ true voluntary Churches which had not yet separated. He realized, as did few men of his age, that Protestantism was in grave danger of breaking up because of ever-spreading internecine quarrels, and he was sufficiently a disciple of Calvin to realize that some

¹ Robinson, *A Iustification of Separation from the Church of England* (L., 1610), 125.

² *Ibid.*, 259, 433.

³ Robinson, *Works*, III, 105.

'church structure' must be maintained.¹ He hoped, however, to maintain it by the substitution of charity and tolerance between various voluntary communions, and not by what he regarded as a tyrannous and anti-Christian discipline imposed from above. Robinson had not cast off completely the 'church idea.'

Robinson's staunch Calvinism and his great concern about the disputes which had engulfed Protestantism caused him to regard the problem of dissent, though hardly that of heresy, with objectivity and tolerance. He was firm in the conviction that God's saints enjoyed saving faith from which they could not be shaken, and he was not especially concerned about the hosts of the unregenerate who could not in any case attain salvation. These convictions gave to the author the reasoned view that religious dissensions merely marred the beauty of God's Church and retarded the unfolding of His truth. It was admitted that religious disputes were sometimes unavoidable, but Robinson insisted that they were always dangerous, "drawing the best spirits into the head from the heart, and leaving it either empty of all, or too full of fleshly zeal and passion. . . ."² Since religion affects us vitally and we therefore enter into religious disputes with great heat, and our convictions and purposes become twisted and distorted, we seek victory for our own persuasion rather than for the advancement of truth and learning.³

Robinson felt that religious disputes raised up within men psychological forces which were definitely inimical to religion. Men are affected variously when arguments are raised against their own religious preconceptions, but most are affected badly.

¹ Thus he desired to maintain full and free communion with all of the Reformed Churches. (Dexter, *Congregationalism*, 395-396.) Bastwick wrote several years after Robinson's death that Robinson had told him "that if hee might in England have injoyed but the liberty of his ministry there, with an immunity but from the very ceremonies, and that they had not forced him to a subscription to them, and impressed upon him the observation of them, that hee had never separated from it or left that church." (*The utter routing of the whole army of all the independents & sectaries* (L., 1646), c. xvii.) It should be observed, however, that Bastwick's recollection may well have been influenced by the requirements of the religious crisis of 1646. Robinson's thought has been sadly garbled and twisted by various religious groups for their own ends.

² Robinson, *Works*, I, 36.

³ *Ibid.*, I, 37.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Some men are "lightly turned about, like weather-cocks, with every puff of new doctrine" and this is particularly true in countries where "men may profess any religion, or none, if they will, without bodily danger."¹ Other men are provoked to serious reflection by opposition to their views, while still others are moved to wrath and hold all the more stubbornly to their own opinions.

Robinson would seem to maintain that the cause of truth is injured not so much by diversity, which he regarded as inevitable, as by the dissension and ill will which diversity engenders through contention. Though his thought rested upon wholly different principles, both his argument and his style remind one strikingly of the reasoning of Acontius.² The plea for toleration, he pointed out, is generally the rationalization of a persecuted minority group. "Men are for the most part minded for, or against toleration of diversity of religions, according to the conformity which they themselves hold, or hold not with the country, or kingdom, where they live. Protestants living in the countries of papists commonly plead for toleration of religions: so do papists that live where Protestants bear sway: though few of either, specially of the clergy, . . . would have the other tolerated, where the world goes on their side."³ Thus when the early Christian Church was persecuted the Fathers raised arguments favouring religious liberty, but when the emperors were converted and the power of the State came to be at the disposal of the Church these same Fathers incited the civil power to violent and intolerant courses. Robinson's comments on these important questions are all too brief and there is perhaps danger of reading too much content into his observations. But it is clear that he, as a member of a weak religious party, held nothing but contempt for those minorities past and present which had raised the plea of tolerance upon religious grounds while living under the threat of persecution and which, upon attaining power, had evolved a persecuting philosophy. He coldly disowned such weakness and brusquely suggested that the true basis for toleration rested upon the fact that no power on earth

¹ Robinson, *Works*, I, 37.

² Jordan, *Religious Toleration*, I, 303 ff.

³ Robinson, *Works*, I, 40.

can really work any religious change in the hearts of men. The ruler is the lord of men's bodies but not of their souls. The fact that a man is the subject of a certain ruler has no connection whatever with the fact that he is or is not, at the same time, of the Elect of God. It should be remembered, too, in reference to coercion, that "neither God is pleased with unwilling worshippers, nor Christian societies bettered, nor the persons themselves neither, but the plain contrary in all three."¹ God has kept in His own hands the power to influence men's consciences and to bring them to a knowledge of faith by changing their hearts. Hence no reason may be advanced which can vindicate the coercive power of either Church or State in religious matters.²

Robinson rendered highly important contributions to the development of the theory of religious toleration, not because any of his views were novel, but because of the calmness and objectivity which he displayed in considering the issues involved. He was a thoroughly orthodox Calvinist in doctrinal matters and his thought exhibited the remarkable tolerance which was inherent in the doctrine of predestination once the 'church idea' was disavowed. He was devoted to the ideal of the voluntary Church of the truly regenerate, but held that these tiny units of the Church invisible should regard each other and differing religious communions with charity and tolerance. He was profoundly impressed with the uselessness and the dangers of religious disputes. Diversity and error should offer no horror to those who are safe in the hands of God. Toleration can work no real harm to God's Church, and men should plead for it not because they are weak but because persecution is in itself ineffective and more likely to hinder the progress of God's truth than to redeem the lost.³

¹ Robinson, *Works*, I, 41.

² Robinson attacked the usual Puritan justification of the repression of error, which was based upon the judicial laws of Moses and the example of the Jewish Church, by denying that this example had any relevancy for the Christian Church. (Robinson, *Works*, I, 41.)

³ The authenticity of Robinson's reputed 'farewell address' is so dubious that it seems advisable not to consider it as part of the writer's thought. This sermon, or speech, is said to have been delivered to the Pilgrim congregation on the occasion of their departure for America. The earliest known version of the speech is to be found in Winslow's *Hypocrisie*

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

e. *Minor Congregational Theorists* ("Apologie or Defence," "Collection of Sundry Matters," John Canne, Burton, "A Light for the Ignorant," Samuel How, and "An Information concerning the means of peace ecclesiastical")

It remains to consider the thought of the lesser Congregational apologists of the period 1603-1640 on the numerous questions which are related to the development of religious toleration. In order to indicate the trend of thought during the period, we shall endeavour to include thinkers considerably separated in time.

On the question of the role of the magistrate in the Church, the thought of the period shows striking change. At the time of James's accession to the throne, the Separatists had not yet been able to throw off the Calvinistic ideal of the Church, which was in fact contradictory to their own principle of the voluntary Church of the regenerate. But the increasing weight of repression, the shifting of the Anglican Church from its historical Calvinistic bases, and the gradual realization of the true implications of the 'free Church' idea combined to effect the change.

In *An Apologie or Defence of such trve Christians as are commonly (but vniustly) called Brownists* (1604),¹ we find the earlier view clearly reflected. "It is the office and dutie of princes and magistrates (who by the ordināce of God are supreme governors under Him over all persōs and causes

Unmasked, published in 1646. Winslow at best is not an exceptionally trustworthy authority, and on this occasion he gives no date and places the discourse in the third person. Cotton Mather changed the sermon into the first person and Neal followed him. Its publication in 1646 is particularly suspicious, since at just that time the Independents were anxious to vindicate the liberality of their tenets and to answer the Presbyterian charges that in New England the Congregationalists had been thoroughly intolerant.

On the other hand, we do not find the tolerant context of the speech strikingly different from the general impression gained from Robinson's authentic later works. It would appear to be rather an expansion of his well-known view that the Reformation was in grave danger because of contention and controversy over matters that had little or no connection with faith.

The text of the speech may be found in Winslow, *Hypocrisie Unmasked*, 97 ff., and in Neal, *History of the Puritans*, I, 476-477.

¹ This valuable work is a handbook of Brownist petitions and confessions published prior to 1604. Dexter and Mc ascribe the authorship to Johnson and Ainsworth, *Short Title Cat.* to John Robinson, and *D.N.B.* to Barrowe, Greenwood, and Penry.

within their realmes and dominions) to suppresse and root out by their authority all false ministeries, voluntarie religions, and counterfeit worship of God; to abolish and destroy the idoll temples, images, altars, . . .” In addition, Christian rulers are obligated to “establish and mainteine by their lawes every part of Gods word, His Christian religion, pure worship, and true ministery . . . yea to enforce all their subiects whether ecclesiasticall or civil, to do their dutyes to God and men, protecting and maintaining the good, punishing and restraining the evill, according as God hath commaunded, . . .”¹ The Church and the advancement of God’s truth do not depend upon the favour of the magistrate, but if God has so willed it that the magistrate is friendly to the progress of religion, it should be accounted a great blessing.²

This view of the magistrate’s power was, of course, wholly orthodox and added nothing to the cause of toleration. Strikingly dissimilar were the sentiments expressed by the anonymous author of *A Collection of Sundry Matters*, which, it should be noticed, was published in 1616, the year of the organization of Jacob’s church in London. The author evidently either had decided that it was unlikely that his faith could expect the assistance of the magistrate, or had been convinced by the more liberal Congregationalists that the magistrate’s authority in the Church should be very limited indeed. If Christians follow the leadership of the ruler in the determination of the teachings and the form of the Church, it is clear that they will depend entirely upon his will. For belief and practice cannot be separated, and faith and obedience go together. But, he argued, “our faith and belief may not follow or depend on the mind of the magistrate concerning the nature of Christ’s visible church under the Gospel, and concerning the form of government thereof. Therefore, our practice may not follow or depend on the mind of the magistrate.”³

It was but a step from this view to the position that power in religious questions has not been given by God to any man. “Such usurpations therefore of men, we doe, . . . even before

¹ *An Apologie or Defence*, 27 (*The Confession of faith of certayne English people, living in exile in the Low Countreys* (1598), art. 39).

² *Ibid.*, 28 (art. 41). ³ *Collection of Sundry Matters* (L., 1616), Reason 2.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

angels and men utterly renounce."¹ The greatest possession of man is his religion, "wherein we acknowledge no king over our soules, . . ."² The questions of religion are too delicate and too important to risk in the hands of a civil power which may abuse them and thereby do infinite harm to the Church of God.

By the time of the opening session of the Long Parliament this view had become the accepted position of the Congregationalists. It was a natural and inevitable development of the voluntary Church principle and it was to contribute very largely to the growth of religious toleration. Once the ancient theory of the moral and religious obligation of the State to assist and further the Church, and the responsibility of the ruler to eradicate heresy and error as defined by the Church have been denied, there remains no recourse but toleration.

Unfortunately, however, in almost direct proportions, as the Separatists adopted a more tolerant attitude on the question of the coercive power of the magistrate, they became harsher in their judgment of the Church of England. We have already indicated that there was a widespread conviction that the Anglo-Catholic leaders of the Church were perverting both its form and doctrine, and that this fear was causing thousands of devout Protestants to embrace sectarian extremism. As the final explosion drew nearer, the criticism of the Church became more bigoted and compares unfavourably indeed with the more moderate strictures of Robinson and Jacob. The Church was accused of fashioning its structure to the whims of political command and its members were charged with formalism:

"A Protestant³ is an indifferent man
That with all faiths, or none, hold quarter can.
So mod'rate and so temp'r'ate is his passion
That he to all-times can his conscience fassion."⁴

¹ *Englands complaint to Iesvs Christ, against the Bishops Canons. Of the late sinfull synod, a seditious conventicle* (L., 1640), A 4. This pamphlet was written as a protest against the recent canon on the royal supremacy.

² *Ibid.*, B 1.

³ The term 'Protestant' is used here to mean 'prelatist' or 'formalist.' The term was thus employed by the sectaries throughout the period.

⁴ *The interpreter, wherein, three principall termes of state (the Papist, the Protestant, and Puritan) . . . are clearly unfoulded* (L., 1641; first in 1622? by Thomas Scott?).

The sectaries charged that the worship of the Church was false and anti-christian and that all true believers should separate from it instantly. Its government was devised by the devil and the antichrist.¹ The laws and administration of the Church "are partly their owne inventions, . . . with some divine truthe which usurped they injoy, which truthe they use as a help to set a glose upon their inventions: that they may passe with a better acceptation, but both divine and devised are consecrated and dedicated by the Beast, and are administred by his officers and power."² Canne charged that in the Church of England there were not five in a hundred who understood "the necessary grounds and principles of religion; but many thousands which are men and women grown, if a man ask them how they shall be saved, they cannot tell."³ The Established Church was not constituted by or for the Saints, but principally by "profane people, even mockers and contemners of religion, as atheists, idolaters, sorcerers, blasphemers, and all sorts of miscreants and wicked livers."⁴ Neither its government nor its doctrine remains undefiled, and it cannot be said to retain God's true worship.⁵ And worse still, this false Church has left no liberty to any man, whether of the Saints or of the damned, "but compels and forces all in the name and power of antichrists successors, will they, nill they, have faith or no, conscience or no conscience, this beast will be served and obeyed of all states degrees and conditions, of all people in the world."⁶

The minor Congregational theorists displayed the normal sectarian conception of the Church. The Brownist *Confession* of 1598 declared that even if God should withhold the approval of the magistrate, none the less true Christians must "walke in the obedience of Christ and confession of His faith and gospell, even through the middest of all tryalls and afflictions,

¹ Canne, John, *A Necessity of Separation from the Church of England* (L., 1634; 1849), 167. Canne's thought will be more largely considered in a subsequent volume. We are regarding him as a Congregationalist before 1640, and as a Baptist thereafter.

² *A light for the ignorant or, a treatise shewing, that in the New Testament, is set forth three kingly states or governments* (1641 ed.), 9.

³ Canne, *A Necessity of Separation*, 189.

⁵ *Ibid.*, 200.

⁴ *Ibid.*, 193.

⁶ *A light for the ignorant*, 15.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

not accounting our goods, lands, wives, children, . . . remembryng alwayes that we ought to obey God rather than man."¹

With equal firmness the Separatists stressed the voluntary character of the true Church in the *Third Petition* to the King. The true Church is composed only of the Saints and can by definition contain no heretical or wicked persons.² The petitioners emphasized the distinction which the Calvinist always made between the elect and the damned, and submitted that the visible Church was composed only of those who bore the hall-mark of God's favour. Canne, writing thirty years later, was to extend this argument still further. He held that the civil State is powerless to create a Church and that it has in fact no religious function. Christ alone is the institutor of the true Church and He alone has power to convert men and give them eternal life. The people of the Church are "called and separated from the world, and the false worship and the ways thereof."³ By definition the Church cannot contain unregenerate men,⁴ and it must purge itself of all those who are evil.⁵ But the Church alone can effect this purging, and that only with the spiritual weapons which Christ has bestowed upon it.⁶ The Elect must carefully eschew the world and either "join themselves to some true church already constituted, or by voluntary profession of faith, and obedience

¹ *An Apologie or Defence*, 28 (art. 42).

² ". . . Every true visible church, is a company of people called and separated from the world by the Word of God, and joyned together by voluntarie profession of the faith of Christ, in the fellowship of the Gospell. And . . . therfore no knowne atheist, unbelever, heretique, or wicked liver, be received or reteined a member in the Church of Christ, which is His body; God having in all ages appointed and made a separation of His people from the world. . . ." (*Ibid.*, 36, and *vide* 44.)

³ Canne, *A Necessity of Separation*, 184.

⁴ Canne, *A stay against straying. Or an answer to a treatise, intituled: The Lawfulnes of Hearing the Ministers of the Church of England. By John Robinson*. (Amsterdam?, 1639), 30-33.

⁵ Canne, *A Necessity of Separation*, 187-188.

⁶ *Vide* also *Christ on His Throne. Or, Christs Church-government briefly laid downe; and how it ought to bee set up in all Christian congregations* (London, 1640), for an expansion of this view. The writer argued that the Church should be restrained only when it transgressed the civil laws (60-61). In spiritual matters the congregation is the only body which has been granted corrective powers over its members (61-62).

of Christ, . . . knit themselves together in a spiritual outward society or body politic."¹

We should expect that the Congregationalists, as a consequence of their ideology and the persecutions under which they laboured during all of the period under survey, would have championed the doctrine of toleration as a positive religious virtue as well as a protective cloak for the development of their own faith. We have noticed that its two greatest exponents did make considerable contribution to the development of such a position, but it cannot be said that the sect as a whole showed any great interest in the general aspects of the problem. Several causes explain, at least in part, this circumstance. During the whole of the period the sectaries saw the Romanists mildly treated or openly favoured while staunch Protestants were undergoing severe restraints. They saw the English Church under the leadership of Laud rapidly changing in form and philosophy, and they were aroused to the bitterest hostility and the most bigoted opposition. They were in 1640 prepared to extend toleration to the Calvinistic dissenting bodies, but they had resolved that, ideally at least, neither prelatism nor Romanism should be tolerated in a Christian State. We have already had occasion to comment on the rising hostility towards Anglicanism and it would be well at this point to examine the sentiments of one of the Congregational radicals towards the Church of Rome.

Next to Prynne, Henry Burton was perhaps the most dangerous of the dissenting incendiaries who, despite the gravest danger, kept up a running fire of criticism and abuse of the whole Laudian system. Towards Rome Burton displayed not the slightest charity. It had been argued that enthusiasm and bigotry should be tempered by moderation and reason. Burton showed no patience with such relativism. Reason, he admitted, has its place in religion but "she must come in the reere of all, and as a hand-maid. . . ."² The Saints find in the Bible all that they need, and all that can be learned, of religious truth, and God illuminates the Scriptures

¹ Canne, *A Necessity of Separation*, 185, 197-198.

² (Burton, H.), *A replie to a relation of the conference between William Laude and Mr. Fisher the Jesuite* (L., 1640), 140.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

for them.¹ This only should be the guide for truly religious men. And the Bible leaves no doubt whatever that the Church of Rome holds no saving truth.² "The Roman faith being infidelity it selfe, 'tis impossible, that any living and dying in that faith, can be saved."³ He assailed Laud for holding that salvation was possible in the Roman Church, on the ground that "the rent" between the Romanists and the true Protestant faith was too wide "to be sowed up with the rotten thread of your charity."⁴ If there are any saints in the papal dominion they "are so farre from being members of the Church of Rome as they are by the doome of Trent sentenced and accused for heretickes; and cut off quite from the church, although they yet live in it."⁵ It is folly to hold that Rome resembles a true Church in any particular, for there we see only "the habitements of the great whore, and the ensigne of antichrist with his church malignant, warring us the true Spouse, and Church of Christ."⁶ There is no salvation possible in her communion and no Christian State should tolerate the idolatry and the blasphemy of the Roman worship.⁷

The bitterness and extremism which the English religious scene engendered in the Congregationalists did not, however, entirely prevent the consideration of the general question of toleration and religious liberty by a few of the minor theorists prior to 1640.

As early as 1614 the Brownist apologists had grounded the sanctity of their faith upon the rock of conscience, which they declared to be inviolable. It was urged that "all churches and people (without exception) are bound in religion onely to receive and submit unto that . . . order, which Christ as Lord and King, hath appointed unto His church: and not to any other devised by man whatsoever."⁸ God has invested

¹ Burton, H., *Replie to a relation*, 141, 147.

² *Ibid.*, 116.

³ *Ibid.*, 345.

⁴ *Ibid.*, 348. Burton is here attacking the 'charity' of Laud's reply to Fisher.

⁵ B., H. (i.e., Burton, H.), *Babel no Bethel: that is, the church of Rome no true visible church of Christ* (L., 1629), 18-19.

⁶ Burton, *Replie to a relation*.

⁷ B., H. (i.e., Burton, H.), *The baiting of the Popes bull. Or an unmasking of the mystery of iniquity, folded vp in a most pernicious breeue or bull, sent from the Pope lately into England* (L., 1627), *passim*.

⁸ *An Apologie or Defence*, 79.

His Church with the capacity for discerning His truth and commandments as they are set forth in Holy Writ, and Christians must follow this higher will. If this were not true, the apologists submitted, "we should hold our religion at the pleasure of man, and not at the prescription and commaundement of the Lord, who is King of Kings, by whom princes reigne, and under whom all are subiect to yeeld obedience unto Him."¹ It was upon this rock of religious certainty buttressed by the right of private judgment that intolerance was ultimately destroyed. The sectaries happened to be sure, with the most tenacious certainty, that they read the will of God aright and that His hand was upon them. No human logic and no human power can break the weight of such conviction. When the State finds itself confronted by a number of such determined sectarian groups, it will in the interests of civil peace adopt toleration as the only rational solution of the problem.

Having made clear the intensity of their convictions and having explored the spiritual sources from which they were derived, the Brownists suggested that their religious needs could be satisfied only by a reasonable degree of religious liberty. They petitioned James that they might be permitted "to live here in peace, professing and practising the truth of the gospell by us now witnessed, without molestation; as the French and Dutch churches are, notwithstanding the differences from the hierarchie and worship of the church of England." This solution, they suggested, would establish a firm basis for their continued loyalty and they promised to withdraw their criticism from the Church of England, leaving the King free to reform it when he saw fit.²

Towards the close of our period two minor Congregational tracts appeared which should be briefly noticed. *An Information concerning the meanes of peace ecclesiasticall* (1639) brought forward arguments against over-emphasis of dogma which are of considerable importance.³ The author held that differences in religion which are not concerned with fundamentals ought

¹ *An Apologie or Defence*, 80.

² *Ibid.*, 82.

³ The tract was probably by John Dury (*vide* p. 32) and was addressed to Archbishop Laud. *Vide post*, 364-370, for a discussion of Dury's later works.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

not to be permitted to break the bonds of Christian charity and tolerance.¹ We tend to value our own opinions far too highly and to condemn harshly all who differ from us. We seem in religious controversies to feel that our own opinions gain weight and greater truth when we charge that those faiths which differ from our own are stricken with fundamental errors. For that reason men become more concerned with the differences which separate them than with the common faith which binds them as Christians.

We should look upon all men who agree with us in the essentials of faith as brothers and should "search out fundamental truths, and . . . have the same brought into a forme of a confession, that in it, the unity of the spirit" shall be embodied.² Certainly, the work of carrying the gospel to the heathen can never be completed until Christians are themselves in agreement on what constitutes the saving essence of faith.³ The writer argued that the early Protestant confessions were militantly and rigidly drawn as a defence against popery and that since that danger has largely passed they are now being employed by the various Protestant groups against each other.⁴ The simple Christian is lost and confused in the midst of a multitude of warring groups, each claiming to be the sole representative of the true faith. Actually the fundamentals of faith are very few and simple, and they may easily be reduced to a formula which all sincere Christians will accept.⁵

These arguments, brought forward just prior to the Civil War, opened up for Independency important grounds which later thinkers were to explore more fully. Dury had condemned unsparingly the arrogance with which each sect claimed the exclusive possession of truth. He implied that salvation was to be found at least in all the Protestant bodies, and that the theological furore of the past century had been both vain and harmful. Moreover, he introduced into Congregational thought the fatal germ of relativism, which by destroying the doctrine of exclusive truth was to destroy at the same time the bigotry

¹ This view should be compared with the thought of Robinson. *Vide ante*, 242-247. It was typical of the lay thought of the period.

² (Dury, J.), *An Information*, 19.

⁴ *Ibid.*, 22.

³ *Ibid.*, 20.

⁵ *Ibid.*, 22-23.

that underlies persecution. He made no attempt to define the body of fundamental truths,¹ but within a decade many pious and earnest men were labouring manfully at the task of finding some doctrinal formula upon which all Christians could agree.

Even more tolerant were the views expressed by Samuel How in a sermon published in 1639.² How condemned vigorously the bigotry and intolerance which had engulfed the Christian world and denounced the use of force to accomplish spiritual ends. The mouths of those enmeshed in heresy and error can be stopped only by sound doctrine and truth. Christ has given to His Church no other defence, and no other is needed.³ "It is high time, that we, honouring the teaching of the Spirit, should refuse to meddle with such as go another way to work, to declare God's mind to us, because He alone is sufficient to stop the mouths of all gain sayers."⁴ Every man is responsible for the safety of his own soul and must attain salvation in his own way. We must stop taking our

¹ Cf. Acontius's attempt to arrive at a doctrinal formula which would embrace all of the fundamentals of faith, and which all true Christians could accept. (Jordan, *Religious Toleration*, I, 334-342.)

² How seems to have been a cobbler, from the verse prefixed to the sermon:

"What How? how now? Hath How such learning found,
To throw art's curious image to the ground?
Cambridge and Oxford may their glory now
Veil to a cobbler, if they knew but How."

He had been a member of Lothrop's congregation, and after the departure of Canne to Holland was chosen by that congregation as its pastor. He "served in the ministration about 17 years and died in peace very much lamented. In his time they were persecuted beyond measure by the clergy and Bishops Courts, and he dying under the sentence of excommunication." (Gould MS., quoted by Burrage, *Early English Dissenters*, II, 305.) How was in prison in 1632. (Gardiner, *Star Chamber Cases*, 294.) He probably died in 1635. The constables prevented his burial at Shoreditch, and he was interred at Annisseed Clear, where several members of his church were later buried. (Neal, *History of the Puritans*, II, 25.) The sermon under consideration, *The sufficiencie of the spirits teaching, without humane-learning*, is said to have been preached as a result of John Goodwin's attack on How's lack of formal education. Goodwin held that "a man could not preach except he had human learning." How challenged Goodwin to send him a text. Goodwin presented 2 Peter iii. 16 as the text, and was at hand to hear the sermon. How's argument was that any man who is 'called' by God may preach if he is fortified by the Holy Spirit. The sermon was first printed in Holland, and there were many subsequent editions. We have employed the 1827 edition.

³ *Ibid.*, 27.

⁴ *Ibid.*, 28.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

religion at the command of other men and must see God's truth with our own eyes.¹ "Nothing but the Spirit of God can bring any to the true knowledge of the Word of God; . . ."²

These sentiments of Dury and How opened up the lines along which Independent thought was to flow in the next decade. And in that decade Independency was to make notable and permanent contributions to the development of religious liberty in England. During the period under survey Congregational thought had been hesitant and only gradually had it divorced itself from the intolerant implications of Calvinism. The establishment of the sect in England under conditions of persecution had focused the attention of its leaders on the problem of the power of the magistrate in the Church and the inviolability of the Christian conscience. In 1640, however, the Congregationalists were still wedded to the view that they had found absolute religious certainty and retained their determination to rid England of error and heresy when they had attained dominance. The quickening of events and the intolerance of their Presbyterian brethren during the Civil War period were to hasten the fruition of the truly sectarian and tolerant principles which lay at the roots of Congregational theory.

3. BAPTIST THOUGHT AND ITS RELATION TO THE DEVELOPMENT OF RELIGIOUS TOLERATION, 1603-1640

a. *The General Nature of Baptist Thought*

It is with the Baptists that the tolerant implications of Protestant sectarianism become most fully apparent. Their doctrinal and institutional beginnings antedated Calvinism, and, with the exception of various schismatic groups, the main body of the Baptists was but slightly influenced by the teachings of Calvinism respecting both the nature of the Church and the necessity of a highly organized and rigidly imposed doctrinal system. Their religious teachings were revolutionary and anarchistic and for well over a century they were persecuted throughout Protestant Europe. Few Christian

¹ *The sufficiencie of the spirits teaching*, 42.

² *Ibid.*, 44.

sects have survived such contempt and hatred as that to which the Baptists were subjected. It is to their great credit that, though persistently persecuted, they maintained steadily the doctrine of religious liberty and denied that any human power, whether civil or ecclesiastical, exercised any legitimate authority over the human conscience.¹

Masson has suggested that the devotion of the Baptists to the doctrine of toleration was largely a consequence of the fact that they had learned the evils of persecution from their own sufferings.² It is true that every persecuted sect which holds that it teaches divine truth and follows the divine will maintains that the State cannot justly punish its members for beliefs which are held in conscience. But such groups, unless their underlying philosophy rests upon the assertion of the religious necessity of freedom for every Christian man, will not be likely to argue for the toleration of groups which differ both from them and from the established order. We have attempted to show that the doctrine of toleration was inextricably woven into the fabric of Anabaptist thought from the beginning, and as its doctrinal philosophy became more clearly formulated in the later sixteenth century these tolerant implications became ever clearer.³

The Baptists taught even more consistently than the Congregationalists that the true Church was a voluntary congregation of believers, and they were never confused by the Calvinistic teaching, which tended to persist in Congregationalism, that it was the duty of the prince to encourage the true religion and to repress the false.⁴ The Baptists not only regarded the Church as a voluntary organization, but insisted that the regenerated alone could be admitted to it with adult baptism as the outward badge of the state of grace. They regarded the world about them as sinful and preferred to withdraw into small and detached spiritual communities which could set up internal safeguards against the contaminating influence of the unredeemed. They held excommuni-

¹ Evans, *Early English Baptists*, I, 231.

² Masson, D., *Life of John Milton* (1871-1894), III, 99.

³ Jordan, *Religious Toleration*, I, 58, n.; 270, n.; 295 ff.

⁴ Masson, *Life of Milton*, III, 104 ff.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

cation, which they used freely, to be the purging instrument of the Church, and this disciplinary power was necessarily the exclusive possession of the congregation. They repudiated completely the institutional conception of the Church, and denounced every species of interference by the civil power in the affairs of the Church. The sword of the temporal power must never under any circumstances be employed to assist the sword of the spirit. The process by which true Churches will be formed must operate under conditions of complete spontaneity and in the absence of all restraint Christianity must be propagated by the spiritual weight of truth operating through the missionary zeal of the individual Christian.¹ It is evident that such a view of the nature of the Church would permit neither the interference of the State in religious matters nor the employment of coercion. The contribution of the Baptists to the development of religious toleration lay not so much in the fact that they were a persecuted minority group as in the fact that the theory of toleration was implicit in their doctrinal philosophy.

The Baptists were likewise inclined to the defence of toleration because of the remarkable emphasis and development which they gave to the right of private judgment and the priesthood of the Christian man. They all regarded the Scriptures as God's own revelation, which should be accepted implicitly, but held at the same time that its interpretation was a subjective matter. The Bible was viewed as having an inner meaning which was revealed only by the illumination of men's spirits by the Holy Spirit after conversion.² They tended to hold that the New Testament was of greater importance than the Old, and that it was spiritual, "proceeding originally from the heart." The message of the Bible, they taught, is illuminated by the grace of the believer. Thus in *The Last Booke of Iohn Smith* it was argued that "although it be lawful to pray, preach, and sing out of a book for all penitent persons, yet a man regenerate is above all books and Scriptures whatsoever, seeing he hath the Spirit of God

¹ Masson, *Life of Milton*, III, 106-107.

² *Bibliotheca Reformatoria Neerlandica*, ed. S. Cramer and F. Pijper, X, 55, 67, 182-189.

within him, which teacheth him the true meaning of the Scriptures, without which Spirit the Scriptures are but a dead letter which is perverted and misconstrued, . . .”¹

The Calvinists had insisted that the Bible was to be followed literally and that absolute religious truth could be extracted from it and crystallized into a doctrinal system from which not the slightest deviation could be permitted. The doctrine of exclusive truth had served as the corner-stone of Protestant intolerance. To it the Baptists opposed a theory of ‘subjective relativism’ which opened up vast vistas of freedom. When the possibility of revelation has been admitted, every man’s religious belief may be said to rest upon sacrosanct foundations which it would be impious to threaten with force. The ultimate dissolution of ecclesiastical authority has taken place and the unit of spiritual responsibility has become the individual. The Baptists had discovered the firmest grounds for claiming liberty of conscience when they held “that conscience is the organ of an inner light which comes from God, . . .”² Men who were convinced that all necessary truth in religion would be revealed to any man who soberly and sincerely sought for it would view with the greatest disfavour any interference in the complete freedom of the relationship of man with his God.³ This theory they held not only for themselves but as an abstract principle of religious truth.

Only one other Baptist doctrinal position need concern us here. The sect rejected the Augustinian theology of the reformers and insisted vehemently upon the complete freedom of the will and the moral responsibility of the individual not only for his conduct but for his salvation. Hoffman had taught as early as 1525 that though all men were sinful, they were all called by God to salvation since Christ had died for them. All men have been given sufficient grace to achieve salvation if they will.⁴ This sharp break with the Calvinistic

¹ Smyth, J., *The Last Booke of John Smith called the Retraction of his Errours, and the Confirmation of the Truth* (1611), 3.

² Powicke, F. F., *Henry Barrow, Separatist*, 214.

³ This view of the relationship of God and man is of course very closely related to mysticism, and explains, in large measure, the fact that Quakerism sprang from Anabaptist antecedents and that various mystical and pietistic bodies were constantly shattered off from the main Baptist stem.

⁴ *Bibliotheca Reformatoria Neerlandica*, V, 178.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

doctrine of election had several important implications for toleration. The Baptists taught that since no man was irretrievably lost, he might be won for Christ by the spiritual agencies which God has placed in the hands of His Church. To destroy a man who is at the moment lost in sin would be to defeat the purpose and perhaps the will of God. No Christian would persecute others when such an awful possibility of offending God existed. The lost must be won by the self-evident truth of God as revealed in the Bible, and any attempt to force men's consciences will only impede the impact of truth upon sin. Hence the Baptists were the most evangelical of all the major Protestant sects, but the instruments of their zeal were to be wholly spiritual.

b. The Baptists in Holland and England, 1603-1640

We have already noticed the beginnings of the Baptist communion in England,¹ and it will be well at this point to sketch the development of the sect from 1603 to 1640.² There were undoubtedly several areas in England in which Baptist sentiment lingered,³ but Elizabethan repression had effectively prevented the crystallizing of such sentiment into formal Church organizations. The Baptist movement in England received its real inception from the conversions which were made in the ranks of the English Separatists resident in Holland. We have noticed that the English congregations were periodically split by Baptist defections throughout the first twenty years of the century. The English were most directly affected by the Mennonite Baptists, who were in this period spreading very rapidly throughout Holland. As we shall have occasion to indicate later, the English

¹ Jordan, *Religious Toleration*, I, 295-299.

² For purposes of clarity we shall employ the term Baptist rather than Anabaptist for the sect after 1603. The English group was distinguished from the earlier and more radical sect in several important particulars. As early as 1615 they repudiated the title of 'Anabaptist,' when they petitioned the Crown as "His Majesty's faithfull Subjects commonly (but most falsely) called Ana-baptists." In 1620 and 1660 we find still other protests against the common nomenclature. The most important distinction was the full recognition by the English Baptists after 1603 of the validity of civil government. (*Bapt. Hist. Soc., Quarterly.*)

³ Dosker, H. E., *The Dutch Anabaptists*, 45-46.

Separatists were also profoundly influenced by the Arminian attack upon Calvinistic orthodoxy, and those who followed Arminius tended to embrace the Baptist teachings.

Thus Francis Johnson's congregation was split well before 1603, and as early as 1597 this tiny group of English Baptists was sending missionaries to England, where they apparently gained a number of converts. It remained, however, for John Smyth to give the English Baptist movement effective organization. Smyth was of a good family,¹ and appears to have been a pupil of Francis Johnson at Cambridge. Bishop Hall described him as "a scholler of no small reading, and . . . experienced in arts." He appears to have taken orders and became in 1600 'city preacher' in Lincoln.² He was of a restless spirit, however, and within two years had been deprived of his post for factious preaching. A short time later he was seized with doubts about the validity of the Church of England, and, after lengthy discussions with Puritan friends, separated from the Church and with a group of followers set up an independent congregation at Gainsborough.³ Smyth and his followers realized the dangers involved in separatism, and in 1607 or 1608 they emigrated to Holland,⁴ where they joined Johnson's company of Separatists.⁵ In Amsterdam Smyth practised medicine in addition to the exercise of his spiritual duties and was thrown into close contact with the Mennonite Baptists. Within a few months he had become dissatisfied with the structure of Johnson's church and separated from it with most of his followers on the ground that the minister should use either the Greek or the Hebrew text of the Bible in preaching, and because he could not accept several minor points in Johnson's church organization.⁶ Smyth rapidly progressed in his views and by 1609 had become

¹ Burgess, W. H., *John Smith, the Se-Baptist*, 28.

² Burrage, *Early English Dissenters*, I, 227. As early as 1585-1586 he had been cited to appear before the Cambridge University authorities because of his Puritan views on the Sabbath. (Strype, J., *Annals of the Reformation*, III, i, 496.)

³ Brook, *Lives of the Puritans*, II, 196.

⁴ Burgess, *John Smith*, 95.

⁵ Dexter, *Congregationalism*, 312.

⁶ It is possible that Smyth's group was never associated with Johnson's church, and that the disputes mentioned above arose when terms of possible union were under discussion.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

an avowed Baptist, without, however, having carried all of his own congregation with him. His church was in turn torn by a controversy over the question of the succession of the Christian ministry from apostolic times, and a group led by Helwys, Piggott, and Murton seceded. Smyth's congregation of about forty-three persons then signed a confession of faith which had been prepared by Hans de Rys and approved by the learned Gerritts, pastor of the Waterlander Mennonite Church, and applied for communion with that body.¹ After some delay Smyth's congregation appears to have been merged with the Dutch Church in 1615,² and ultimately lost its separate identity.³ Smyth advanced so rapidly in his views that he was never able to effect a lasting church organization, or to formulate a comprehensive doctrinal system.⁴ His teachings are of profound importance to the historian of toleration, but it remained for others to give the English Baptists a systematic constitution.

Helwys attacked the action of Smyth's followers in identifying themselves with the Waterlander church, and for two years he and Murton endeavoured to lay the basis for an English church in Holland. The evangelical tendencies inherent in the Baptist philosophy and the persistence of the feud with Smyth's followers, however, caused them in 1611 to determine to return to England. Helwys was an Arminian (General) Baptist and his outspoken championship of the doctrine of general redemption made him appear to English orthodoxy as a very dangerous radical. Then, too, he was vehement in his denunciation both of the bishops and of the Puritans and he

¹ *Vide* the *Short confession of 38 articles* (1610?; in the archives of the Amsterdam Mennonite Church). About 1612 *The Confession of Fayth Published in Certayn Conclusions by the Remaynders of Mr. Smithes Company* appeared in 102 articles as an expansion of the *Short confession*. It was written shortly before Smyth's death and after the publication of Helwys's *Declaration of Faith* (1611), to which it is in part an answer. Robinson apparently had a printed copy before him in the preparation of his *Religious Communion Private and Public* (1614). The expanded form of the *Confession* was known only through Robinson's extracts until the original was found in the archives of the Waterlander Mennonite Church. In 1871 another copy was found at York Minster as part of Smyth's *Last Booke*.

² Barclay, R., *The inner life of the religious societies of the Commonwealth*, 72.

³ Evans, *Early English Baptists*, I, 220-223.

⁴ St. John, W., *The Contest for Liberty of Conscience in England*, 39.

managed to incur the wrath of every powerful party in England. When we recall that this was the period of the King's orthodox zeal against heresy as displayed in the Wightman and Legate cases, Helwys's determination to found a Baptist church in London in the face of governmental opposition would appear to have been courting martyrdom. Troeltsch has well called this church the mother-church of the English Baptists.¹

Helwys based his church organization upon a *Declaration of Faith* which he had published shortly before returning to England.² This confession displayed doctrinal and social ideals which were considerably more conservative than the philosophy of the continental Anabaptists of this period. Helwys was now at the height of his literary career, and in his *A Short Declaration of the Mistery of Iniquity* (1612) he had pleaded with James for the toleration of the church which he was founding.³ He had relatives of means and influence in the city and perhaps hoped that they would be able to give him some measure of protection.⁴ But the authorities acted quickly. In 1613 his associate, Murton, was thrown into prison and it seems probable that in the next year Helwys and several of his followers were taken into custody.⁵ Robinson wrote in 1614, "I would know, how he [Helwys],

¹ Troeltsch, *Social Teaching of the Christian Churches*, II, 707.

² (Helwys, T.), *A declaration of faith of English people, remaining at Amsterdam in Holland* (Amsterdam?, 1611). This confession has been ascribed to Helwys by Dexter, Burrage, Crosby, and Underhill. We have used the Crosby edition of 1739 (*English Baptists*, II, App., 1 ff.). *Vide post*, 274 ff., for a consideration of this confession.

³ *Vide post*, 276 ff.

⁴ His cousin, Gervase Helwys, was Lieutenant of the Tower at this time, but was executed in 1615 for complicity in the murder of Sir Thomas Overbury. His uncle, Geoffrey Helwys, was a wealthy merchant and a former alderman. Other members of the family were prosperous merchants. (Burgess, *John Smith*, 281.)

⁵ The prisoners petitioned to Parliament for liberty, stating that they were willing to take the Oath of Allegiance and that they were loyal and obedient subjects. They presented that their imprisonment was for conscience' sake, and they blamed the persecution of the bishops for keeping them in "lingering imprisonment, divided from wives, children, servants, and callings, not for any other cause but only for conscience towards God, to the utter undoing of us, our wives and children." (H.M.C., *House of Lords MSS.*, Third Report, 14.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

and the people with him have preached to the city of London? Surely not as the Apostles did in the synagogues, and public places: much less do they flee, being persecuted (or go, if so they will have it) from city to city to preach, as did the Apostles.”¹

At this critical stage in the history of the London church Helwys died and the mantle of leadership fell upon the shoulders of his competent colleague, John Murton.² Murton displayed rare qualities of patience and perseverance and was able to hold his congregation together during a period of severe repression which did not begin to relax until about 1620. Directly the governmental pressure was in a measure lightened, the highly evangelical character of the Baptists was demonstrated in missionary campaigns which established knots of believers in various quarters of England, though for the time being no additional churches were organized. In 1624 Murton’s church was weakened by the defection of Elias Tookey with about sixteen followers who seem to have adopted the more radical continental views on the subject of the Trinity and other doctrinal matters.³ Tookey’s group held separate services, but desired to establish the validity of their church organization by close association with the Dutch Anabaptists. They accordingly applied to the Waterlander church for the ordination of Tookey as a minister and for fraternal association, but the Dutch church, having been warned by Murton of the radical character of the schismatics, declined to accept them.

During the period when religious repression was relaxed as a result of the negotiations for the Spanish marriage, Murton and his followers were able to weld the scattered bands of Baptist converts into a more effective church structure. By 1626 Murton’s congregation in London is said to have numbered one hundred and fifty persons,⁴ and churches had been established in Lincoln, Coventry, Salisbury, and Tiverton.⁵

¹ Robinson, *Works*, III, 163.

² *Vide post*, 298–314, for a discussion of Murton’s thought.

³ Burrage, *Early English Dissenters*, I, 270–271.

⁴ Dexter, *Congregationalism*, 323.

⁵ Brown, L. F., *The Political Activities of the Baptists and Fifth Monarchy Men in England during the Interregnum*, 3.

It would appear, too, that in the old Lollard area of Lincolnshire, Leicestershire, and Warwickshire the Baptists had won many converts,¹ while there was a considerable congregation in and about Norwich.

Murton died in 1626 just as the Baptists were securing a firm foothold in England, and the sect was left without capable leadership. Several of the churches were without pastors and appear not to have been fully organized. It was therefore determined to apply to the Waterlander church for union, and on November 12, 1626, a letter was forwarded to the Dutch communion petitioning for close association with them. The Dutch, however, did not approve of the conservatism of their English co-religionists and declined to join with them on the grounds that they were willing to take the Oath of Allegiance and to hold civil office, and because of minor differences in ritual.²

The brief period of missionary activity came abruptly to an end during the decade when Laud was attempting to crush all forms of dissent in England. The Baptist churches appear to have become disorganized and the Lincoln church felt obliged to excommunicate some of its members who had bowed to the storm by resuming occasional worship in their parish churches.³ Many of the more determined Baptists fled to Holland, where they were admitted to the Mennonite Church, "because they were baptized formerly by Mr. Smith." Preaching and worship were continued in England in private houses, in open fields, and in secluded woods, but no effective church organization or discipline could be maintained under such conditions. In 1640 some eighty Baptists were arrested at a meeting in a private house in Saint Saviour, Southwark, where the preacher was charged with having inveighed against the Book of Common Prayer and the iniquity of the interference of the State in religious matters.⁴ The defendants were eventually brought before the bar of the House of Lords, but by this date the whole structure of the system of enforced

¹ *Minutes of the General Assembly of the General Baptist Churches in England* (ed. W. T. Whitley), I, xl ix.

² Burgess, *John Smith*, 333-335.

⁴ Fuller, *Church History*, VI, 180.

³ *Ibid.*, 336.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

conformity was beginning to collapse, and they were released without punishment.¹

During this period of persecution another Baptist group, which should be sharply distinguished from the Arminian Baptists, sprang up in London. We have already mentioned that in 1633 a group in Jacob's Congregational church had separated from the parent body after adopting Baptist beliefs. John Spilsbury was the first pastor of the group.² These schismatics organized the parent church of the English Calvinistic (Particular) Baptists, whose thought we shall consider in a later volume. Suffice it here to say that they accepted almost completely the Calvinistic theology and retained longer than any other Protestant communion the doctrine of predestination in all its logical rigidity. The Calvinistic Baptists insisted upon immersion as the only proper form of baptism, and were so austere and dogmatic in their own views and so harsh in their judgment of those who differed from them that they are of far less importance in the history of toleration than the Arminian Baptists.

With this background of the general implications of Baptist religious philosophy and the beginnings of the sect, we shall turn to a detailed consideration of the thought of the Baptist apologists of the period under survey in its relation to the development of religious toleration.

c. *John Smyth, 1563?-1612?*

It should be borne in mind in considering the development of Smyth's thought that until about 1609 he was a Separatist with Congregational leanings, and from that date forward his views became more unorthodox and, at the same time, more tolerant. His views were never static and for that reason the

¹ *H.M.C., House of Lords MSS. Cal.*, January 16, 1640-1, Fourth Report, 40; and *vide L.J.*, IV, 133.

² Crosby, *History of the English Baptists*, I, 148-149; *Bapt. Hist. Soc., Transactions*, I, 230-231. Eaton, Parker, and possibly Kiffin were the leaders in this separation, which resulted from the conviction of numerous persons that they could no longer share communion "wth ye churches owning of English parishes to be true churches. . . ." (*Bapt. Hist. Soc., Transactions*, I, 230-231.)

question of chronology is of considerable importance in estimating his thought. This is well demonstrated when we analyze his views concerning the role of the magistrate in religious affairs. In his *Principles and Inferences concerning the Visible Church*, written at about the time he fled from England, Smyth expressed the normal Puritan view of the relation of the civil and the spiritual powers. While strongly asserting the liberty of the individual congregation, he had not yet reached the point of denying completely the power of the ruler in religious affairs. For "the erecting of visible churches appertaineth to princes and private persons. Princes must erect them in their dominions and command all their subjects to enter into them, being first prepared and fitted thereto."¹ For some time after his conversion to Baptist doctrines Smyth continued to hold the position that the visible Church could not sacrifice the assistance of the friendly ruler. For the Christian prince has been appointed by God as the Keeper of the Tables and should endeavour to abolish idolatry and false worship within his realm. Christian princes have a positive religious duty to "forbid and punish al unrighteousnesse as also to commaund and cause al men within their dominions to walk in the wayes of God, being fitted and prepared thereunto."²

But in the *Confession of Faith* which Smyth set up as the rule of faith for his church a few years later, his point of view on this important question had undergone a profound change. He disowned the earlier Anabaptist scepticism of the validity of the magistrate's civil commission by holding that his office is good and is dedicated to the preservation of mankind. But the prince's function is strictly limited to temporal concerns. His office gives him no authority to meddle with religion or to compel men's consciences. Nor may he force men to adopt that religion or doctrine which he believes to be true. He must "leave Christian religion free to every man's conscience, and . . . handle only civil transgressions, injuries, and wrongs of man against man, in murder, adultery,

¹ P. 29.

² Smyth, *Paralleles, Censures, Observations* (1609), *Works* (ed. W. T. Whitley), II, 519.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

theft, etc. for Christ only is the King and Lawgiver of the Church and conscience.”¹

Smyth’s later view of the complete dissociation of the civil and spiritual spheres rests upon his acceptance of the Baptist view of the Church and the intensely spiritual nature of religion. The “visible communion of saints is of two, three or more saints joined together by covenant with God and themselves, freely to use all the holy things of God according to the Word for their mutual edification and God’s glory.”² God has ordained no other home for His worship, and the attempt to frame a nation into a Church is unlawful and absurd.³ The Church is composed of those who have been cleansed of their sin through conversion and who have forsaken the sin of the world about them for the religious association with the saints.⁴ It is, in fact, “a mystical figure outwardly of the true, spiritual invisible Church; which consisteth of the spirits of just and perfect men only, that is of the regenerate.”⁵ These regenerate Christians are brethren “wheresoever they live, by what name soever they are known, . . . though compassed with never so many ignorances and infirmities,”⁶ and it is consequently to be deplored that the Saints who follow the true faith should be so divided and torn into sects because of differences in minor matters.

The true Church, then, is composed of those who have felt the saving hand of God, and no power on earth can create such a Church or change the faith of those who enter it. The very possibility of persecution has been cut away. The faithful are led directly by God and come to a knowledge of His Will and Truth, not at the hand of ecclesiastical authority, but through the illumination of His Spirit. The true Church will not destroy itself by vain controversy over doubtful and inconsequential matters but will submit these questions to

¹ *Confession of Fayth* (102 articles; 1611-1612), art. lxxxvi (art. lxxiv in York copy). *Vide* also his *Propositions and conclusions concerning true Christian Religion* (1611), *Works*, II, 748.

² *Principles and Inferences*, 8.

³ *Ibid.*, 9.
Smyth, *Confession of Fayth*, art. lxiv.

⁴ *Ibid.*, art. lxix. The York copy adds that the regenerate constitute one Church, “be they Roman Catholics, Lutherans, Zwinglians, Calvinists, Brownists, Anabaptists, or any other pious Christians.”

God for guidance in spiritual worship. Nor may Christians be bound by ceremonies or a ritual which constricts their spiritual nature into the grooves of tradition or which prevents the direct guidance and leadership of God in their lives.¹ The Bible is the foundation of our faith, but we should not follow it blindly or permit it to obscure the intimacy of the relationship between God and man. "Wee hould that the worship of the New Testament properly so called is spirituall proceeding originally from the hart: and that reading out of a booke (though a lawfull eclesiastical action) is no part of spirituall worship, but rather the invention of the man of synne it beeing substituted for a part of spirituall worship."²

This revolutionary doctrine of complete spiritual freedom was derived in part from the Protestant doctrine of the right of private judgment and in part from Smyth's mystical leanings. It established the sanctity of conscience upon grounds into which authority could not penetrate and boldly enunciated an almost anarchistic principle of liberty. This principle, truly sectarian in its origins, was at once to dissipate sectarian strength into innumerable fragments and to attract the attention of men who had at last seen that the ancient theory of the necessity of religious uniformity offered nothing more than internecine destruction when the Church-State was confronted with sects which it could not suppress.

Based as it was upon these principles, Smyth's thought was necessarily tolerant. He regarded persecution as both a stupid and an immoral action, which was inimical to the advancement of true religion and an outrage to the majesty of God.³ The vengeance of the persecutor is wreaked either upon the preacher or upon the professing Christians. It is therefore "a manifest indignitie offered even to God Himselfe: for the ministers are Gods embassadours, and every true professor is a member of Christ: wherefore as the prince is then disgraced, when his embassadour is shamefully intreated; so is the Lord dishonoured in His ministers and messengers; and as Christ

¹ Smyth, *The Differences of the Churches of the separation* (n. pl., 1608?), 2-3, c. 4.

² Smyth, *Differences of the Churches of the separation*, A 3.

³ Smyth, *A Paterne of True Prayer. A learned and comfortable exposition or commentarie upon the Lords Prayer* (1605), 204-205.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

was abused when His bodie was crucified upon the crosse; so is He also now when the members of His mysticall bodie are persecuted.”¹

The danger of persecuting God’s Saints and His truth is so great that we should be very slow indeed to condemn men for differences of judgment. Most persecution arises from an arrogance and conceit which causes men to assume that a doctrine is true because they happen to hold it. Smyth professed that he was not “of the number of those men, which assume unto themselves such plenarie knowledge and assurance of ther wayes, and of the perfections and sufficiencie therof, as that they peremptorily censure all men except those of their owne understanding, and require that all men upon pain of damnation, become subiect and capituate, in their judgement and walkinge to ther line and levell: . . .”² He confessed that in the “daies of my blinde zeale” he had harshly condemned both the Brownists and the members of the Church of England. He felt that the Established Church erred grievously when it sat as “antichrist in the temple of God, which is the conscience,” and attempted to force men to a way of religion and to a conformity which they could not accept. But to brand it as a false Church “is a censure such as I cannot justifie before the Lord who is my Judge . . . and therefore I utterly revoke and renounce it.”³ He pleaded that it was his desire “to end controversies among Christians rather than to make and mainteyne them . . . and it is the grief of my hart that I have so long cumbered my self, and spent my time therein.”⁴ God’s Truth is revealed to men when they seek it and need it, and persecution and controversy only serve to impede its progress.

This is not to say that heresy and error do not exist or that the Church should not take steps to guard against spiritual defections. But error is a purely spiritual matter which concerns the Church alone, and it has been given adequate weapons with which to cleanse itself. The Church

¹ Smyth, *A Paterne of True Prayer*, 205.

² Smyth, *Last Booke, Works*, II, 752.

³ *Ibid., Works*, II, 753. This work was written in the closing months of Smyth’s life.

⁴ *Ibid., Works*, II, 755.

must use every possible agency to regain those of its members who have fallen into error, but if these means are ineffective the spiritual weapon of excommunication should be employed. This penalty should be used only as a last resort, for "none are to be separated from the outward communion of the church but such as forsake repentance, who deny the power of godliness, and that none are to be rejected for ignorance or errors, or infirmities as long as they retain repentance and faith in Christ but they are to be instructed with meekness, . . ."¹ If it becomes necessary to cut off sinful persons from the Church in order to preserve its purity, the action must be decisive. They must be shunned as heathens and publicans, while the Christian will seek by all lawful means to win them back, "considering that excommunication is only for the destruction of the flesh, that the spirit may be saved in the Day of the Lord."² Smyth's career is of especial significance in that it indicates that the acceptance of Baptist teachings immediately influenced him to adopt a more tolerant and liberal philosophy. We have seen that this was strikingly illustrated in his definition of the role of the magistrate in the Church before and after his conversion. He completely rejected temporal influence in spiritual affairs even as the handmaid of the Church, and so decisive was the dissociation that active persecution could not possibly flow from his theory. The true Church is composed only of those who have experienced personal regeneration, and its members are directly guided by God. No human power can be permitted to disturb the immediacy of that relationship, in which the Christian finds the sole source of religious authority. Persecution rests upon an arrogance which is not born of true faith; it endangers the foundations of the Church; and it is an insult to the majesty of God. Heresy and error do exist, but the Church has in the weapon of excommunication an instrument sufficient to protect the purity of its communion. It is evident that Smyth had renounced completely the philosophical bases of persecution and that, despite the in-

¹ Smyth, *Confession of Fayth*, art. lxxx (art. lxxviii in the York copy).

² *Ibid.*, art. lxxxii (art. lxxx in the York copy); cf. *Short confession of 38 articles*, art. xxxiv.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

tense evangelical zeal of the Baptists, he would spread religious truth amongst unbelievers only with the spiritual agencies in which he reposed such complete confidence.

d. Thomas Helwys, 1550?-1616?

The tolerant sentiments which Smyth had expressed were considerably expanded by his contemporary, Thomas Helwys.¹ Helwys gave to religious toleration the finest and fullest defence which it had ever received in England, if we except the earlier thought of Jacobus Acontius.² And when we recall that Acontius's work had been an isolated apology by a detached observer, while Helwys drew his inspiration from the underlying religious philosophy of the sect of which he was a member, and gave to that sect a missionary impulse which was to fix its roots firmly in England, it would seem probable that his work was of greater historical significance than that of his predecessor.

Helwys's outstanding contribution lay in the fact that he dissociated completely the magistrate from the religious life of the nation and by fearless logic swept away the theoretical justifications which for so many centuries had been advanced to support the persecution of heresy.

Helwys, and the other Arminian Baptist leaders, were anxious to divest their Church of the natural suspicion that it entertained the revolutionary sentiments of the conti-

¹ We have already discussed Helwys's connection with Smyth and his work as a missionary Baptist in England (*vide ante*, 264-266). Relatively little is known about his earlier career. It seems clear that he was a member of a prominent and prosperous family which had its seat in Nottinghamshire, and that, following the death of his father in 1590, he inherited considerable wealth and land. (Burgess, 107 ff.) It is possible that he was admitted to Gray's Inn in 1593, though he was at that date about forty-three years of age. He was married in 1595, and settled at Broxtowe, where he nursed Smyth through a serious illness. (*Bapt. Hist. Soc., Transactions*, III, 21.) His house was a centre for disaffected Puritans of the region and he early developed Separatist views. Helwys fled to Holland in 1608, but his wife, who chose to remain, was arrested, and for some time was a prisoner in York Castle. He became a member of Smyth's church in Amsterdam, and very shortly after his arrival became a pronounced Baptist. He appears to have died in 1616 or shortly before that year, for in 1616 his uncle, Geoffrey Helwys, bestowed by will the sum of £10 upon his widow. (*Ibid.*, III, 28-29.)

² Jordan, *Religious Toleration*, I, 303 ff.

mental Anabaptists respecting the civil power of the prince. In his *A declaration of faith of English people, remaining at Amsterdam in Holland* (1611),¹ Helwys announced clearly that "magistracy is a holy ordinance of God" and that every person ought to be subject to it "not for fear only, but for conscience sake." For magistrates have been ordained by God to take vengeance on wrongdoers and it is consequently "a fearful sin to speak evil of them that are in dignity, and to despise government." Christians should pay taxes, accept civil obligations, and support the lawful administration of the ruler "with their lives, and all that they have, . . ."² Magistracy, then, is of God, and the magistrate may be a member of the Church.³ But Helwys was firm in the conviction that the ruler's power must be strictly limited to temporal matters. He should not be obeyed if he commands an evil action, since God does not allow "that His children, should be tyed of conscience to obey in anie thinge that is unholy and not good."⁴ And in the determination of what is good and what is evil, the conscience of the regenerated Christian is the only judge.

In his important *A Short Declaration of the Mistery of Iniquity* (1612), to which we shall lend careful attention, Helwys developed more completely his notions concerning the relationship of the civil power to the Church. The book was apparently dedicated to James, and it is clear that throughout his discussion Helwys had the English religious situation foremost in his mind.⁵ Helwys wrote without a trace of fear. He reminded the King that he was "a mortall man, and not God," and that he consequently had "no power over ye immortall soules of his subiects, to make lawes and ordinances for them, and to set spirituall lords over them." For it should

¹ Strictly speaking, the document is not so much a creed as an apology in the form of a confession designed to satisfy the doubts of their adversaries. The original is in the archives of the Mennonite Church in Amsterdam.

² *A declaration of faith*, art. xxiv.

³ Helwys, *An Advertisement, or Admonition, unto the Congregation, vvice men call the New Fryelers, in the lowe countries* (Amsterdam?, 1611), 55-56.

⁴ *Ibid.*, 58.

⁵ The dedication on the fly-leaf of the Bodleian copy, which is in Helwys's hand, was apparently addressed to James and concluded with "God save ye King." The dedication was written from "Spittlefield, neare London."

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

be evident that if the ruler enjoyed any authority to make spiritual laws "he is an immortall God, and not a mortall man."

The world, Helwys charged, has long suffered from a confusion of the temporal power with matters which are purely spiritual. Indeed, it would seem that the scriptural prophecy of the First Beast has been fulfilled by the spiritual power which the Roman Church has usurped over conscience, and the prophecy of the Second Beast has been sustained by the spiritual power and government which the hierarchy have assumed in England.¹ These false and persecuting spiritual governments have been erected as agencies of the civil sword, and the truly Christian prince should hate and destroy them.² But even the destruction of these tyrannous and false Churches should not be effected by the temporal sword of the ruler, for "the Lord requires no such meanes in this business." The King should overcome the false Church by withdrawing all temporal support from it and by assuming his true role as ruler in civil affairs only. Spiritual forces should be permitted free play, and then God "will abolish and consume the man of sinne, the mistery of iniquity, which is this beast, and whore, and citie, by the spirit of his mouth, and by the brightness of his comeing: . . ."³ For the persecuting Churches have ever been maintained by the usurpation of spiritual power by the State. Princes should reflect that the Kingdom of God is not of this world and "with this kingdome, our lord the king hath nothinge to do, . . ."⁴ His relation to the Church is precisely that of any other layman, and if he intrudes upon the province of conscience he is guilty of a grievous sin.

Helwys broke new and important ground when he argued that Christian thinkers have been completely illogical about the question of the religious power of the magistrate. The magistrate either possesses this power in the abstract and in virtue of the fact of his magistracy, or he does not possess it at all. Let us concede that the king does enjoy power to force

¹ *Vide Revelation, xiii.*

² Helwys, *A Short Declaration of the Mistery of Iniquity* (Amsterdam?, 1612), 37.

³ *Ibid.*, 37-38.

⁴ *Ibid.*, 41.

all who live in his dominions to serve God as he commands and to slay all who refuse to lend conformity to the Church which he ordains. Then this same power belongs to all kings of whatever religious persuasion. If it truly belongs to James, then the King of Spain "hath the like power to compell all in his dominions to serve God as he commaunds," and we should certainly not condemn Mary Tudor for the exercise of a power which she legitimately enjoyed.¹ For to argue that the king enjoys power over conscience only if he happens to belong to the true faith leads to a hopeless impasse, for he will certainly belong to some communion which regards itself as the true Church. It should be plain that "as Queene Mary by hir sword of justice had no power over hir subiectes consciences, . . . neither hath our lord the king by that sword of justice power over his subiectes cōsciences: for all earthly powers are one and the same in their severall dominions."²

This position represented a very important advance in the literature of toleration. It had long been argued by minority groups that the magistrate did not possess the power to persecute truth, and these groups invariably defined truth in terms of their own beliefs. But Helwys argued that the king possessed the power to persecute neither truth nor error. The Calvinists were indignant in their denunciation of governments which persecuted them, since they were very certain that they were in possession of an infallible and exclusive body of religious truth. At the same time, they left no doubt but that they would in their turn persecute what was by their own definition error when they had gained power. Helwys stripped this philosophy of the religious phraseology in which it had always been clothed and exposed its hideous implications. He submitted that earthly crimes should be punished by earthly penalties and spiritual errors by spiritual remedies. The king has no power whatsoever in the spiritual sphere and if he exercises any he invades Christ's dominion.

Christian rulers have long been deceived in this matter by ambitious clerics who have sought to rule the faith of other men. They have most often taught the magistrate that he enjoyed in the Christian Church the spiritual jurisdiction which

¹ Helwys, *Mistery of Iniquity*, 41-42.

² *Ibid.*, 43.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the Jewish kings exercised in the Hebraic Church. These men are guilty of the grossest fraud. For "that carnall commandment is changed and wee have a commaundement after the power of endles life unto the obedience of which law, no earthly kings power, can cause or bring anie one man to obey, in anie one thing; . . ."¹ In the Church of Christ the Word of God and the spiritual power of truth are omnicompetent instruments and the king's intervention can do no more than impede the progress of truth. And if Christ's spiritual sword "will not prevaile to bring men under obedience to His owne lawes, what can our lord the kings sword do; it is spirituall obedience that the Lord requires, . . . and if our lord the king shall force and cōpell mē to worship and eate the Lords Supper, against their cōsciēces, so shall he make his poore subiects to worship and eat unworthily, whereby he shall compell them to sinne against God" and against their own consciences and judgments.²

No crime can be more heinous than the forcing of men in questions of faith. The right of private judgment must be given free scope and every man, being held completely responsible for his own soul, must seek and find truth in his own way.³ If men are coerced, the immediacy of the leadership of God is obscured, and they tend to confuse the commandment of the civil power with the Will of God. We must enjoy complete liberty to seek God and we cannot find Him if we are compelled to follow the precepts of other men, nor can we be satisfied with a way which may have satisfied other men.⁴ Christian liberty must be wholly unrestricted. In the chaotic conditions which persecution and coercion inevitably engender, even the Elect of God may be deceived. Christ foresaw this evil state of affairs and expressly warned His Apostles to follow Him rather than men.⁵ "We therefore earnestly beseech all people, by the mercies of God not to respect anie men, neither to followe Christ, as you have them for an example; but followe Christ as you are taught in His word, . . ."⁶

Helwys's firm insistence upon the right of private judgment and his conviction that every man must find religious truth

¹ Helwys, *Mistery of Iniquity*, 45.

² *Ibid.*, 45-46.

³ Helwys, *An Advertisement*, 50-51.

⁴ *Ibid.*, 51.

⁵ *Ibid.*, 52.

⁶ *Ibid.*, 54.

in his own way led him to an unsparing condemnation of the evil of all persecution. Religion has been prostituted and spirituality destroyed by arrogant religious groups which have claimed a monopoly of religious truth and which have attempted to strike down all who do not agree with them. In this intolerance has been seated the persecuting fury of the Romanists, which all Protestants pretend to agree in condemning. But the evil has by no means been confined to Rome. For the Established Church in England strives to speak with as much authority and seems to compel all men to follow Christ with it. The Calvinists say, "loe heere is Christ, and they will constraine all to followe Christ with them." Even weak and depraved sects like the Family of Love would have Christ "in the desert" with them and would deny that religious truth may be gained excepting in their communion. And he charged his co-religionists with the same intolerant presumption: "and you to whom we especially write, you say loe heere is Christ and you would have all to followe Christ with you."¹

The author's reasoning was cogent and well formulated. All sects are guilty of arrogating truth to themselves and of seeking to confine the spirit and truth of God within their own definition. The inevitable consequence of such presumption is the forcing of men into a rigid conformity and the destruction of the freedom upon which Christ has founded His Church. Yet it is certain that there can be no more hideous tyranny than the forcing of men in religion.² And since men are solely responsible to God for their own souls, it follows that the right to seek truth in one's own way is the most necessary and sacred of all rights. Even if the king should happen to subscribe to the true worship of God and by force or love should bring men into the Church, it would avail them naught, for we are not able to delegate our responsibility to another man.³ The author laid great emphasis upon the

¹ Helwys, *An Advertisement*, 51-52.

² There is not "so great cruell tyranny under the sunne, as to force mens consciences in their religion to God, seeing that if they err, they must pay the price of theyr transgression with the losse of their soules." (Helwys, *Mistery of Iniquity*, 46.)

³ ". . . Let the king judge, is it not most equal that men should choose their religion themselves, seeing they only must stand themselves before

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

complete personality of religion and the consequent inability of any human power to order faith.

This teaching displayed the remarkable force which the Arminian doctrine of freedom of the will was to exercise in hastening the tendency towards religious toleration. The doctrine stressed the moral competency of the individual and taught that God invests every man not only with the possibility but with the responsibility of attaining salvation through personal religious experience. Under these conditions any impediment which might be placed in the way of the free play of God's Spirit upon men would inevitably endanger the eternal welfare of countless souls. The coercive power of the Church and State Helwys regarded as the most destructive of all such impediments. The great arena of the spirit must be left free and we may rest assured that in the conflict between truth and error religious truth must in the end prevail.

Hence even mortal error and heresy should not be punished by the State. For in these matters of the spirit "is no sword of iustice at al required or permitted to smite anie for refusing Christ."¹ The Church has been commanded to shun error and to purge itself of it by spiritual means, and this is the limit of the punishment imposed upon heresy. And, above all, the prince has been given no power to punish error by using the civil sword for a spiritual end.²

Not only does the King enjoy no authority to coerce men in religion or to punish error, but he cannot delegate a power which he does not have. This, so Helwys argued, was precisely what had occurred in England. He denied that the bishops enjoyed even spiritual power, but, in any case, the King should restrict them to the spiritual function which is the only possible basis upon which they can defend their existence.³ The English bishops, he held, claimed a power of enforcing conformity in the judgment seat of God to answer for themselves. When it shall be no excuse for them to say we were commanded or compelled to be of this religion by the king or by them that had authority from him? And let our lord the king, that is a man of knowledge, yet further consider that if the king should by his power bring his people to the truth and they walk in the truth and die in the profession of it, in obedience to the king's power, either for fear or love, shall they be saved? The king knows they shall not." (Helwys, *Mistery of Iniquity*, 46.)

¹ *Ibid.*, 47.

² *Ibid.*, 48.

³ *Ibid.*, 53.

religion in no sense different from that which Protestants damned as tyrannous when it was claimed by Rome.¹ For if the English people "will not understand the Scriptures, and worship God" as the hierarchy ordain, "they straight send a pursivant, apprehēd them by violence and force, imprison them," and drive them into exile.² The Baptist apologist implored James to consider "whether ever since the heavens and earth were created, there was a more unequall extreame cruelty than this, that the king's people should be compelled . . . of force to submit their soules and bodies to the understanding of the lord" bishops.³ Even Christ and His Apostles did not claim such power over men's souls or permit "that anie should be compelled by anie bodily punishment to obey their lawes and ordinances, which were infalibly true, holy, and good: . . ."⁴ Much less have men of this day, who cannot claim infallibility of judgment in the mysteries of God's Truth, the right to set up standards of doctrine and faith to which they compel men to subscribe obedience. Such an action can be regarded only as religious persecution and should be condemned as expressly contrary to the Will of Christ.⁵ For Christ explicitly commanded His followers to win the world by the preaching of the Word and "never appointed to be punished anie one man for desobeing His gospell, with the least bodily punishment."⁶

Since he based the very existence of true religion upon the enjoyment of tolerance, if not of liberty, Helwys was able to make clear and forcible recommendations for the curing of religious strife in England. He asked that Christians "may enjoy that blessed liberty to read and heare the Word of God in their owne language and to pray in their publique worship in their owne tongue: that so by our lord the king's meanes the king's people may enjoy this blessed liberty, to understand the Scriptures with their owne understandings, and pray in their publique worship with their owne spirits."⁷ In other words, Helwys demanded not only legal toleration but religious liberty. And he based his argument upon general grounds

¹ Helwys, *Mistery of Iniquity*, 54.

² *Ibid.*, 55.

⁵ *Ibid.*, 75-76.

³ *Ibid.*, 73.

⁶ *Ibid.*, 77.

⁴ *Ibid.*, 74.

⁷ *Ibid.*, 56.

which included all faiths. For he was so confident that his own sect possessed the inspiration of the Spirit that he was willing to trust to its evangelical power in the spiritual conflict which would ensue if such a policy were adopted. Even error should remain unmolested. For if freedom of worship and judgment prevail, "then if men err, their sinne shalbe upon their owne heads, and the king's hand shalbe innocent and cleare from their transgression, which it cannot be, if the king shall willingly suffer his power to be used to compell men to pray, and understand by the direction of the Lord B[ishop]s spirit: . . ."¹ There will, of course, be diversity until truth shall come to prevail, but we have too long confused diversity with sedition.² In fact, the two have no possible connection. For if diversity in religion were synonymous with sedition, "then had our Saviour Christ and all His disciples bene found seditious persons, . . ."³ The State must disavow all authority in religion and in conscience, both in the indifferent matters of ceremony and in the "greatest things between God and man."⁴

The test of the tolerant sentiments of any Protestant thinker has ever been his attitude towards the Roman Catholics. We have stressed the universal fear of the Catholics which prevailed in seventeenth-century England, and there were few writers indeed in this period who went so far as to suggest that the laws of charity and moderation should apply to them. When confronted with this problem all of the Calvinists recoiled from toleration, as did practically all of the Congregationalists and Anglicans prior to 1640. Helwys, however, remained consistently logical in considering this question. He had severely condemned the tyranny and the idolatry of the Roman Church, and clearly felt that it was a false Church. But there must be no exception to the religious liberty for which he pleaded. The Catholics must be permitted the liberty of their profession and should remain unmolested by both State and Church. The King has no more power over their consciences than over the spirits of other men.⁵ If they transgress the civil laws they should be punished, but this in no sense differentiates them from their fellow-subjects.

¹ Helwys, *Mistery of Iniquity*, 56-57.

³ *Ibid.*, 82.

282

⁴ *Ibid.*, 57.

² *Ibid.*, 81-82.

⁵ *Ibid.*, 69.

In fact, if the people are obedient to the civil laws of the realm, the King can require no more. "For men's religion to God, is betwixt God and themselves; the king shall not answer for it, neither may the king be iugd [judge?] betweene God and man. Let them be heretikes, Turcks, Jewes, or whatsoever it apperteynes not to the earthly power to punish them in the least measure."¹ These questions of faith lie wholly between the individual and his God, and not the slightest intrusion into the sanctity of that relationship is permitted to any power on earth.

In summary, it may be said that Helwys had by a full and thoughtful consideration of the problems of repression and persecution made an outstanding contribution to the literature of toleration. Not only was he one of the first men in England to conclude that persecution even of the most serious spiritual error was in itself iniquitous, but he was the founder in England of a sect which was never to depart widely from the principles which he had enunciated. He gave to the magistrate the fullest authority in civil matters, but declared that so far as the Church was concerned he had no greater power than any other layman. Religious forces, both good and evil, must be left completely free and the Church has the assurance that in the struggle which will ensue truth will triumph through the agency of the spiritual resources with which God has invested it. The evil power which the magistrate has exercised in religious affairs has been largely due to the ambition and arrogance of the clergy, who have been able to beat down those who differ from them by usurping his power. Their authority in the spiritual life of the nation has rested upon the basis of persecution and at every step they have impeded the advancement of truth. Religion must be free. Every man is responsible for his own salvation and must be given complete liberty to find God in his own way. The use of coercion will serve only to drive weak men into a false Church and will either deceive the elect or result in their persecution. All sects have endeavoured to establish their own dominance with the assistance of the impious agency of persecution, and to this extent, at least, they have been false Churches and have outraged God.

¹ Helwys, *Mistery of Iniquity* 69.

The great Baptist thinker proposed that religious liberty was the best solution for the strife and contention which had for so long beset England. He scorned legal toleration as unworthy and as derived from an authority which the State did not in fact possess. Every sect should be vested with liberty, not only of opinion but of worship. To this rule he made no exceptions whatsoever. The King should punish infractions of the civil law as part of his duty as a magistrate, but this has nothing to do with the question under consideration. Every religious communion should be permitted to enjoy complete freedom in advancing its religious teachings by the spiritual agencies which Christ has appointed, and no sect should be allowed to crush its adversaries by the unwarranted exercise of the civil power. Under these favourable auspices truth will in time prevail.

Helwys's style was plodding but competent. He impresses the reader as having been a serious, painstaking, and highly sincere man. He wrote carefully and his meaning is rarely obscure save when he plunges, with Baptist abandon, into extravagant and mystical explanations of various Biblical prophecies. His thought is sane, cautious, and well reasoned. He was one of the first of a large and important group of writers who had enjoyed little formal and no classical training and who wrote because they had, so they felt, a message which they must express. Their homely examples, their short nervous sentences, their tremendous gravity, and their essentially lay use of language as a tool for expressing their ideas clearly and forcibly with little regard to correct notions of form were in the sharpest contrast to the literary and theological style of the period, and their style was, after 1650, to make a profoundly important contribution both to the English language and to English letters.

e. Leonard Busher

Just two years after the publication of Helwys's *Mistery of Iniquity* there appeared another Baptist pamphlet which was perhaps of equal significance in the development of the theory

of religious toleration, when Leonard Busher¹ published, probably at Amsterdam, his *Religions Peace: or, a plea for liberty of conscience*.²

In Busher's thought we see clearly portrayed the tolerant implications of the Baptist religious philosophy. Not only the general emphasis of his book but the specific arguments which he employed were firmly grounded in Baptist philosophy. Thus Busher scarcely bothers to disprove the orthodox contention that the magistrate enjoys wide powers in the Christian

¹ Very little is known about Busher. He was alive in 1642, for in that year he wrote from Delft to a Dutch friend for financial assistance. He described himself as an aged man, "far into 71 years," and as very infirm. If this statement was correct, he was born about 1571. (*Bapt. Hist. Soc., Transactions*, I, 107.) Busher lived for some time after this appeal for aid, for a short time later he was engaged in controversy with an English Baptist, James Toppe, concerning the second coming of Christ. He described himself in the title of *Religions Peace* as a citizen of London, and the idiom of his English style would indicate certainly that he had been reared in England. It is probable that he was the son of a Walloon refugee named Domynic Busher, who in 1588 subscribed £100 to the loan to the Queen. (Burn, J. S., *History of the French, Walloon, Dutch, and other foreign Protestant refugees*, 11.) It is clear from incidental references in *Religions Peace* that Leonard Busher had been exiled well before 1614, and it is probable that he had adopted Baptist views after seeking refuge in Holland. He seems to have known both Robinson and Smyth in that country and probably wrote *Religions Peace* there. Burrage has suggested that he was a member of an Anabaptist communion which was in agreement neither with Smyth's nor with Helwys's congregation. (Burrage, I, 243, n. 2.) There is no evidence, save tradition, that he returned to London to join Helwys's church, though this is not improbable. If that were the case, he was forced into exile again, probably at the beginning of the Laudian persecutions. He was very poor, and lack of funds prevented the publication of two other works which he had prepared in manuscript: *A Scourge of Small Cords* and *A Declaration of certain False Translations in the New Testament*. The style and content of *Religions Peace* would indicate that he had received a fair education and possessed a working knowledge of Greek.

² For many years it was believed that no copy of the first edition was extant. It appears now, however, that a copy of this extremely rare work is in the Huntington Library collection. This edition, which the writer has not seen, contains thirty-eight pages. The work was well known during the first half of the seventeenth century, and when the Independents were casting about for arguments with which to attack the danger of a Presbyterian coercive system, Busher's book was seized upon, and was reprinted in April 1646. Henry Burton probably wrote the address to the "Presbyterian Reader" which was prefixed to this edition. Just two centuries later the work was reprinted in E. B. Underhill's *Tracts on liberty of conscience and persecution*, 1 ff. We have employed the 1846 text.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Church which may under certain conditions be used to root out heresy. He contents himself with the simple axiom that no temporal or spiritual power may coerce faith. For "as kings and bishops cannot command the wind, so they cannot command faith."¹ The magistrate may compel men to attend the Established Church against their conscience, but they will not be changed in spirit by this coercion. The prince who thus prostitutes his office endangers no other soul so much as his own. For rulers are stewards who must at the Judgment Day give a strict accounting for the treatment of their subjects. If the magistrate persecutes what he regards as error, he inevitably pronounces judgments in those spiritual questions which Christ has reserved to Himself.² Busher was distressed that the plain teaching of Christ that His Kingdom was a spiritual order which may "not be purchased nor defended with the weapons of this world" had been so grossly ignored and overridden.³ For Christ has appointed no other agency for the defence and extension of His Church and Truth than the spiritual power of His Word.

Busher likewise laid considerable stress on the fact that persecution implies a completely erroneous conception of religion and faith. He emphasized that God has given to every man the capacities for attaining a saving faith and that every man must find truth in his own fashion and in his own time. The whole conception of a national Church is ridiculous and dangerous, for it presumes that a people can by the accident of birth "attain that one true religion of the gospel."⁴ This view of the Church has done irreparable harm and has destroyed many men's souls. For each people assumes that it has the true faith and men feel relieved of the awful personal responsibility which they have towards God. So pervasive is the arrogance of this false assumption that nations "will defend their religion wherein they are born, by fire and sword, as if it were their natural and earthly inheritances, or had with fire and sword been gotten. . . ."⁵

The persecuting psychology rests upon completely false assumptions. For nothing in the Bible is clearer than that

¹ Busher, *Religious Peace*, 17.

² *Ibid.*, 18.

³ *Ibid.*, 18-19.

⁴ *Ibid.*, 15.

⁵ *Ibid.*, 16.

Christ has forbidden both the prince and the clerics to persecute for "difference of judgement in matters of religion," and that He has ordained that men may be won to the true faith only by the agencies of His Word and Spirit.¹ True faith is gained not by the accident of birth but by the experience of a "new birth" through conversion.² "For they that will be of the true faith and church, must be called thereunto out of the world, by the Word of God, in every nation; and not forced and constrained in every nation. . . ."³ The Lord will not have His offering of free and general salvation restrained by any impediment with which men arrogantly seek to circumscribe it, for "as many as receive the Word gladly, they are added to the church by baptism."⁴ Busher therefore pleaded with James and Parliament to "revoke and repeal those antichristian, Romish, and cruel laws, that force all in our land, both prince and people, to receive that religion wherein the king or queen were born, or that which is established by the law of man."⁵

The Baptist apologist then examined at some length the ancient theory of religious persecution and sought to indicate how irreligious it really was and how damaging it had been to the true interests of the State.

Both the ruler and the Church should be greatly exercised by the appearance of error and false worship amongst the people. But there must be no confusion about the means taken to remedy this condition. False religion can be rooted out only by the "Spirit of Christ and doctrine of the Word of God."⁶ Fire and sword are of no avail against errors of the mind and spirit. The use of the temporal weapons of coercion, he urged, is "wholly against the mind and merciful law of Christ, dangerous both to king and state, a means to decrease the Kingdom of Christ, and a means to increase the kingdom of antichrist."⁷

The King should regard religious persecution with extreme disfavour, in the first place, because its effects are so harmful to the State. The writer shrewdly observed that the King, by

¹ Busher, *Religions Peace*, 27.

⁴ *Ibid.*, 59.

² *Ibid.*, 15-16.

⁵ *Ibid.*, 16.

³ *Ibid.*, 55.

⁶ *Ibid.*, 16-17.

⁷ *Ibid.*, 17.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

consenting to the destruction of his subjects for religious dissent, was suggesting the equally logical possibility that his subjects might on the same grounds destroy him if he should dissent from the true faith.¹ Busher regarded persecution as a cancerous growth which destroys at once the fibre of the State and the substance of the Church.² It tends to drive subjects into disloyalty and, what may be worse, into hypocrisy. The King can never be sure that many of his own Government are not disseachers. For most men, Busher pointed out, will conform through fear of persecution, although in their hearts they may hate and detest the religion whereunto they are forced by law.³ And it may be regarded as certain that men who will not scruple to dissemble in matters involving their eternal salvation will not be incapable of rebellion and plotting if sufficient reward is offered. Moreover, persecution will drive from the realm loyal and conscientious subjects, whose departure will gravely weaken the resources of the State. In sum, Busher indicated that there was in fact no legitimate connection between the temporal and the spiritual spheres, but pointed out that if the King, through mistaken policy, sought to repress dissenting groups in favour of a dominant party, this action raised up problems and dangers which might threaten the security of the State.

And, finally, the author condemned religious persecution on the ground that it did grave injury to religion and flouted the Will of God. He charged that the whole fabric of the persecuting system rested upon an arrogance born of fear. This may be demonstrated by an examination of both the Roman and the Anglican systems. The two Churches compel conscience, and both "provoke the magistrate to persecute to death."⁴ Both refuse to allow freedom to those who dissent. It should be evident that if the bishops and the clergy were not afraid that the artificial framework of the ecclesiastical system of which they are part would fall to pieces in the glaring light of truth, they would suffer their faith and doctrine "to be examined, proved, and disputed, both by word and writing."⁵ It is the false prophet who, when questioned, resorts immedi-

¹ Busher, *Religions Peace*, 41.

³ *Ibid.*, 29.

288

⁴ *Ibid.*, 20.

² *Ibid.*, 41-42.

⁵ *Ibid.*, 23.

ately to the prince and seeks to secure the predominance of his views by the instrumentalities of force.

The apostolic Church was scattered and destroyed by just this type of arrogance and intolerance, and so long as persecution prevails "so long will the apostolic church continue scattered and persecuted into the secret places of this world."¹ It is because of the pride and presumption of the great Church systems that the true believers have been dispersed principally amongst weak and persecuted sects. In the only bitter portion of the book, Busher indicted the Anglican bishops for founding and supporting a persecuting system in England.² Underlying their intolerance is the fear of the possible loss of their honours and prerogatives. It seems patent that they are not inspired by Christ and that their ecclesiastical system has no connection with the apostolic Church, for "we never read, nor ever shall read, that the apostolic church, or such as have derived their faith and discipline of her, did ever persecute."³ So long as the bishops rule in England, no liberty will prevail there and "instead of disputing and writing by the Word and Spirit of Christ against their adversaries, they will cruelly persecute and fight against them by fire and sword, and spirit of antichrist, from whom they are descended and succeeded, both lineally and of great antiquity."⁴

Busher pleaded with James to destroy this persecuting system which was stifling the religion of England. He demanded that the King should not permit the bishops "to destroy those men and women that strive to serve God, according to His

¹ He says that persecution drove it into the "desert places of the world." (Busher, *Religions Peace*, 42.)

² Busher displayed great bitterness against the bishops, and his attack was damaging because of its objectivity and the almost brutal coldness of his abuse. His position, in brief, was that they derived an unwarrantable power, which they retain by persecuting dissent, from the Roman Church.

³ He argued interestingly that the Roman Catholic Church "and those who descended from her" are not of the true Church for the explicit reason that they persecute. He spent a great deal of space on the prophecies of the Book of Revelation in order to prove that Rome is the whore there mentioned, and that she is "the woman that is drunken with the blood of saints, and with the blood of martyrs, or witnesses of Jesus by her beastly persecution." (*Religions Peace*, 45.) The bishops, by derivation, must likewise be so regarded.

⁴ Busher, *Religions Peace*, 48.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

will in His word. Be not your bishops' executioners in burning, banishing, hanging, and imprisoning of harmless and peaceable Christians; but let them enjoy freedom of the Gospel and liberty of conscience."¹ In an interesting passage, which anticipates the position of the Latitudinarians two decades later, Busher maintained that the various religious communions had drawn their doctrinal systems too tightly and rigidly. For we should grant "that all those that confess, freely, without compulsion, that Jesus is the Messiah, the Lord, and that he came in flesh, are to be esteemed the chosen of God and true Christians," and hence are not to be persecuted.²

Busher likewise challenged the logic of persecution. It would appear to be the aim of a persecuting Church to put to death all whom it regards as unbelievers. If this were accomplished, he inquired, what would become of the commandment of the Lord to win the world from unbelief and error by the preaching of the Gospel? The persecuting philosophy can be defended on no reasonable ground. Coercion and persecution usually destroy the souls of the heretical and, at the same time, the persecutors are likely to damn their own souls by their flagrant usurpation of prerogatives which Christ has reserved to Himself. It is high time that men saw that "error and heresy cannot be killed by the fire and sword, but by the Word and Spirit of God. These are the only weapons of Christ's bishops and ministers; and such only Christ's ministers do use."³

After he had exposed the iniquity and fruitlessness of the ancient doctrine of persecution, Busher attempted to frame a comprehensive argument for toleration. It will be observed that in the development of this plea his thought was firmly grounded in the general Baptist philosophy of religion and that his ideas are, for that reason, strikingly similar to those which Helwys had expressed only two years earlier.

Busher entrenched his argument upon the basic position that religious persecution is essentially irreligious and anti-Christian. On every page of the book this point of view is directly or indirectly expressed. Thus he charged that perse-

¹ Busher, *Religions Peace*, 49.

² *Ibid.*, 20-21.

³ *Ibid.*, 22.

cution "is not only unmerciful, but unnatural and abominable; yea, monstrous for one Christian to vex and destroy another for difference and questions of religion." He swept aside the frequent orthodox argument that the "tares" should be uprooted by asserting that we are not competent to distinguish between the grain and the tares and that much grain has been cut down along with the weeds by the "weed-hook" of persecution.¹

The stupidity of persecution and the harm which it does to human society is revealed not only by the teachings of Christ but by the dictates of natural reason. Indeed, many countries which are not Christian have arrived at this conviction and have by law permitted diversity of religion. The Christian peoples, on the other hand, instead of setting an example of clemency and mercy, are cutting each other to pieces. Some body of Christians must take a stand in order to bring an end to the attempt of each communion to gain dominance by destroying all the others. This step, he seemed to feel, should be taken by the Protestants. For the persecution of dissent by the Protestant groups has served only to inspire and condone the severity of the Papists. "Wherein now are the protestants more merciful than the papists, or the papists than the Turks?"² The Protestants cannot in justice condemn the Catholics for the persecution of the reformed faiths so long as they embrace the doctrine of persecution.

Busher then turned his attention to England and sought to lay down a programme for religious liberty which would win the approval of the Government. He reiterated the view that the coercive power which had been vested in the hierarchy was the worst menace both to religion and to liberty in England. Actually, of course, his attack upon the bishops represented the sectarian antipathy to the national Church idea. In a rather fine passage he pleaded with James to destroy the persecuting power of the bishops and to refuse to allow them to persuade him "to force your subjects, or any others, to their faith and church by persecution; neither suffer them therewith to defend their faith and church against their adversaries."³ If they represent the true Church of Christ they

¹ Busher, *Religions Peace*, 24.

² *Ibid.*, 36.

³ *Ibid.*, 25.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

should be prepared to defend it with the spiritual weapons with which Christ has provided them.¹

Busher suggested that it should be evident by this time both to the King and to the bishops that the programme of conformity which has been prosecuted for so long has failed. The attempt to force people into the Church and to require at least a formal conformity has not secured unity, but has contrived to increase the confusion within the Church. Many weak men can be harried into conformity, but it does not follow that when the State and Church "have gotten people to their churches by persecution, that then they have gotten them to their faith and religion; the which is not so, for most people, though contrary-minded, to save life and goods will dissemble their religion."² The Anglican Church has forgotten that preaching, and not persecution, is the only known way that "getteth people to the Church of Christ."³

Having laboured to this point to establish his condemnation of all religious persecution, Busher turned to the enunciation of his positive programme for England. In a striking sentence he urged "the King and Parliament . . . to permit all sorts of Christians; yea, Jews, Turks, and pagans, so long as they are peaceable."⁴ Conditions of absolute freedom of belief and, what is more important, of worship should be by law established in England. When this has been accomplished, the eternal conflict between truth and error and the bitter rivalry of warring sects may at last be settled. "Let God's Word have its full and free passage among them all, even to the end of their lives, in all bountifulness, long-sufferance, and patience; knowing that it is ordained of God's rich mercy, to lead the infidels and such as err unto repentance and amendment. . . ."⁵

Busher pushed forward this bold proposal, which displays such striking confidence in the ultimate power of truth, with conviction and close reasoning. He sensed that two principal objections would be advanced against this position: the danger to the State which such licence would produce, especially in

¹ With the Bible, "and not with fire and sword, your majesty's bishops and ministers ought to be armed and weaponed." (Busher, *Religions Peace*, 25.)

² *Ibid.*, 30.

⁴ *Ibid.*, 33.

³ *Ibid.*, 32.

⁵ *Ibid.*, 34.

England, where the Catholics were hated and feared and where the memory of the Powder Plot was still fresh, and, secondly, the possibility that religion would be engulfed in a tide of atheism and error. He first turned his attention to the former objection.

The greatest danger which dissent offers to the State is to be found not in the fact of dissent, but in the fact that the State and Church have so coerced and harassed nonconformity that it has become explosive and, upon occasion, seditious.¹ The liberty which Busher proposed would greatly strengthen the State by relieving this pressure and by binding men to it with closer ties of loyalty. At the same time, reasonable safeguards should be provided against persons who are deemed to be treasonable, not because they happen to be dissenters but because they are regarded as disloyal.² Thus it would seem advisable to forbid treasonable persons to hold office and to require them to wear some distinguishing badge, to dwell outside the capital, and to refrain from assembly.³ In addition, it should be ordered, quite as much in the interests of religious liberty as for the maintenance of civil peace, that "no person or persons, in whatsoever difference by reasoning or disputing, do draw any weapon, nor give any blow, stroke, or push, in pain and penalty, as his majesty and parliament think meet."⁴ It should be provided by law, in order to implement religious freedom and to protect the weaker sects, that "it be lawful for every person or persons, yea, Jews and papists, to write, dispute, confer and reason, print and publish any matter touching religion either for or against whomsoever; always provided they allege no fathers for proof of any point of religion, but only the holy Scriptures."⁵

The Baptist apologist then turned to the refutation of the second objection: that such complete religious freedom as he

¹ Busher, *Religions Peace*, 49-50.

² It seems obvious that he had the Catholics in mind in these proposals.

³ Busher, *Religions Peace*, 50-51.

⁴ *Ibid.*, 51.

⁵ *Idem*. This would seem to be a curious limitation on the right of free discussion, though it would not appear to restrict the freedom of framing doctrinal systems. Busher shared the normal sectarian distrust of the Fathers, holding that the medieval Church had raised them to an authority which surpassed even the Bible and that most of the errors both of the Roman Church and of the Established Church should be ascribed to them.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

had proposed would inevitably lead to the triumph of error and unbelief. Such a view, he held, displays an amazing misapprehension of the power of truth and the nature of the leadership of God in His Church. Busher's proposal of freedom was in fact designed to accomplish the eradication of heresy and unbelief through the only effective weapons which the Church bears. Error may be conquered only after it has been brought to light. It is most dangerous when it is concealed and repressed and not subject to the searching light of truth, just as a hidden rock in the sea is extremely hazardous, while a visible rock is a manifest danger which may easily be avoided. It is ridiculous to say that truth has anything to fear from error, for heresy "being brought to the light of the Word of God, will vanish as darkness before the light of a torch."¹

If the King will only defend "religion's peace" with his civil sword, the spiritual sword of the Word in the hands of Christ's ministers will be competent to destroy all error.² And it can be accomplished in this manner alone. "For they that will be of the true faith and church, must be called thereunto out of the world, by the Word of God, in every nation; and not forced and constrained in every nation, . . ."³ When compulsion has been removed, men will be able to find truth freely and in their own manner, and then shall be added to the true Church by baptism.⁴ But those who remain obdurate in their errors and refuse to accept the free gift of salvation must not be harmed, since "it is not the mind of Christ that princes should destroy their subjects, nor yet that subjects should destroy their princes for differences in religion."⁵ The whole case for toleration may be reduced to the practical application of the Golden Rule, for "as the king would not have his subjects to take away his life, because he is contrary to them in religion; so let not the king take away the subjects' lives, because they are contrary to the king in religion. And as you would not that men should force you to a religion against your consciences, so do not you force men to a religion against their consciences."⁶

¹ Busher, *Religions Peace*, 53.

² *Ibid.*, 55.

³ *Ibid.*, 60.

294

⁵ *Ibid.*, 54.

⁴ *Ibid.*, 59.

⁶ *Ibid.*, 68.

The King should disregard the counsel of all those who implore him to shed the blood of others who differ from them in religion, and should reflect that if those who are now dominant in religion were to find themselves a persecuted group they would then give him very different counsel.¹ All force in religion should be swept away, and the gospel of "glad tidings" should be proclaimed,² for "the love of Christ so loveth, that it will not vex, nor persecute any that call on His name."³

Busher was so moved by the thought of the great benefits which would follow the introduction of the system of religious liberty which he had framed that he permitted himself to indulge in Utopian reflections on its social and political consequences. The popish laws and canons which are still in force would in time be swept away and the moral and judicial law of God would run in the spiritual kingdom of Christ which would replace the existing order.⁴ The establishment of such a spiritual kingdom would result in sweeping reforms. Persecution for religion would, of course, cease at once. Hanging for theft would be abolished, whipping would be prohibited, and a myriad of social and economic benefits would accrue to the kingdom. The Crown would be vastly benefited by the increased loyalty and devotion of its subjects. Under the protective mantle of religious freedom, men of all shades of thought and opinion would dwell together peaceably —then no man shall "fear to have his mouth stopped, for preaching the truth. Then shall no man need to flee out of his native country and fatherland, for persecution sake. Then shall all men live in peace under their own vine, lauding and praising God, honouring and obeying the king. . . . Then shall

¹ Busher, *Religions Peace*, 77.

² ". . . to burn, banish, hang, and imprison for religion, is not to bring glad, but woful, tidings unto the people. Let it not therefore be any longer preached in your majesty's dominion, I meekly intreat." (*Idem.*)

³ Busher, *Religions Peace*, 79.

⁴ We assume he means that when complete freedom is permitted in religion, truth will prevail after a season, and most, if not all, of the realm will find itself in a unity of true faith. His undeveloped comment on the judicial law carries the only hint of intolerance and bigotry which we have observed in the book. Apparently, however, in the "spiritual kingdom" persecution of any kind would be 'ust as strictly prohibited. (Busher, *Religions Peace*, 69-70.)

the Jews inhabit and dwell under his majesty's dominion, to the great profit of his realms, and to their furtherance in the faith; the which we are bound to seek in all love and peace, so well as others, to our utmost endeavour."¹

In summary, it may be said that Busher gave to the idea of religious liberty a full, critical, and reasonably objective consideration. The work, like that of Helwys, would seem to acquire especial significance in that it was rather more a distillation of Baptist theory on the subject of liberty and persecution than the work of an isolated theorist. Busher and Helwys had, at the moment when the Baptist sect was founded in England, firmly laid the permanent basis of the thought of their communion on these important questions.

Busher dismissed contemptuously the doctrine that the magistrate should exercise either a positive or a negative function in the Christian Church. To hold such a view, he argued, indicates a profound misunderstanding of the spiritual nature both of religion and of the Church. He condemned the concept of the national Church without reserve, since by definition it sought to enforce conformity and since it was founded upon the assumption that men somehow acquired saving faith by the accident of birth. He laid bare the false implications of the theory of persecution and with fine invective demonstrated that all coercion in matters of faith was at once iniquitous and ineffective. Error does exist, and it is an evil and destructive force, but its cure is to be effected through spiritual weapons and not by the instruments of temporal force. In a closely reasoned section he argued convincingly that the confusion and bitterness which religious persecution engendered inevitably weakened the fabric both of the Church and of the State. With rare discernment he pointed out that the persecuting psychology had its roots in the fear of a dominant party which was unwilling to risk its preferments and prestige in the struggle which would follow when ideas and truth were permitted free scope. As evidences of weakness develop, those in authority become increasingly desperate in their endeavours to restrain thought and limit private judgment. The various Church systems, beset by fear, have drawn their doctrinal structures rigidly and would,

¹ Busher, *Religions Peace*, 70-71.

in logic, extend their persecutions until all who differ from them have been destroyed.

Busher's most significant contribution is to be found in his attempt to justify a system of complete religious liberty on the basis of spiritual necessity and abstract right. Underlying his reasoning was the deep-rooted conviction that religious persecution was, in fact, anti-Christian. Even natural reason teaches us that religious diversity implies no harm to the State, and religious truth assures us that it offers no threat to the Church. Some body of Christians must champion this principle and call a halt to the hideous bigotry and bloodshed which have for so long engulfed Christendom, and he clearly felt that this should be the supreme contribution of his own sect. Busher pleaded with James to permit this noble experiment to be tried in England and indicated the steps which should be taken in its consummation. All of the coercive machinery of the Established Church should be discarded and the policy of enforced conformity should be abandoned as a manifest failure. Absolute freedom of belief, of worship, and of missionary activity should be guaranteed by law, and the State should undertake to maintain these precious rights. This liberty, he argued brilliantly, would indubitably redound to the benefit of the State, and it would lay the firm basis for the progress of God's Truth in England. Error would then be brought to light, and truth would be for the first time unshackled. To argue any doubts about the outcome of the spiritual struggle which would ensue indicated clearly, he maintained, both a lack of Christian faith and a misunderstanding of the nature of religion.

Religions Peace is particularly convincing because it was conceived in terms of abstract and objective logic rather than in the more familiar form of personal or sectarian pleading. As St. John has well said, "In this polemic we have a pioneer in an unfrequented region of thought, presenting boldly, though in the face of danger, and with clearness and force, a most noble conception."¹ The argument is dignified and thoughtful. The style is simple and occasionally shows great power, though it rarely rises to eloquence. The most serious defects are to be found in Busher's tiresome habit of repetition and his tendency

¹ *The Contest for Liberty of Conscience in England*, 44.

to wander from the argument into long interpretations of Scriptural passages which are quite beside the point.¹ The author very clearly had mystical inclinations which, though repressed in the interests of logic and clarity, would on occasion assert themselves. The argument rests almost wholly on the Bible, which Busher had mastered. He leaned most heavily upon the New Testament and shared the normal Baptist tendency to regard the Old Testament as of secondary importance.² He displayed rancour towards no Christian communion, though he bitterly condemned both the Roman Church and the Established Church for their persecuting tendencies. He showed little respect or fear for James, who was preached at throughout the book. It is impossible not to admire both the fearlessness of his thought and the boldness of his tone; here we have no abject pleading by a sectary for the bare toleration of his own group, but a thoughtful and noble demand for religious liberty for all men because they are men ordained by God to share in the general redemption through the efficacy of Christ's sacrifice.

f. John Murton, 1583-1630?

The notable contribution which the early leaders of the English Baptists made to the theory of religious toleration was completed with the publication of an anonymous tract entitled *Objections answered by way of dialogue* in 1615 and the appearance of a petition called *A most humble supplication of many of the King's Majesty's loyal subjects* just five years later.³ The

¹ *Vide Religions Peace*, 72-76, for an instance.

² We have identified 240 Scriptural citations, of which almost 200 are from the New Testament. His preoccupation with the expounding of obscure prophecies is shown by the fact that he cited Revelation no less than 32 times and John 30 times.

³ The authorship of *Objections answered by way of dialogue, wherein is proved by the law of God: by the law of our land: and by his Ma^{ties} many testimonies that no man ought to be persecuted for his religion* has usually been attributed to Murton (Mc, Dexter, Burrage), though some authorities regard Helwys as possibly the author (*vide* especially *Short Title Cat.*). So far as the writer knows, the Bodleian and Mc collections possess the only copies of the first edition. The work was widely quoted and was to exercise considerable influence during the period of the Civil Wars. Subsequent editions appeared in 1620, 1630, and 1662, under variant titles. On the basis of textual examination, it may be stated with certainty that

authorship of these tracts is a matter of some dispute, but they may be tentatively attributed to John Murton.

Murton dealt fully with the question of the power of the magistrate in the Church. The fearlessness and boldness of the author's views on this matter are very remarkable indeed when we remember James's highly orthodox opinions. It should be remembered that these treatises were published just as the Baptists were rooting themselves in England and were not the brave utterances of men who were safely across the sea in Holland.

Murton repeatedly acknowledged the duty of all subjects to lend complete and unquestioning obedience to the civil power of the ruler. The King's sovereignty is absolute over "bodie, goods, life, and all that apperteyneth to the outward man."¹ For the ruler has been divinely appointed for the punishment of the wicked and the protection of the righteous in all matters that concern the civil conduct of his subjects.²

But the ruler's just power is strictly limited to civil matters. The claim made so frequently that the magistrate's coercive jurisdiction extends likewise to religion should be tested in the light of the Scriptures. "Oh that al that are in authority, would

the work was not by Helwys, though it cannot be definitely proved that it was written by Murton. *A most humble supplication of many of the King's Majesty's loyal subjects, ready to testify all civil obedience, by the Oath of Allegiance, or otherwise*, was probably the work of a group of Baptists of which Murton was the guiding genius. The petition was the consequence of the persecutions which the Baptists experienced from 1618 to 1620. We follow the text printed by Crosby, who implied that he had a copy of the 1620 edition at hand. The edition of 1662, however, says that the petition had been "presented" in 1620, and it is possible that the later editions were based on a manuscript which was never printed.

Much of the confusion concerning the authorship of these tracts arises from the fact that we know almost nothing about Murton. He appears to have been born in 1583, probably at Gainsborough, where he was a furrier. (*Cong. Hist. Soc., Transactions*, II, 164.) We have already noticed that Gainsborough was a strong separatist centre, and it seems reasonable to assume that Murton was converted to this position at an early age. He emigrated to Holland before 1608, for in that year he married there one Jane Hodgkin. (*Idem.*) He was probably converted to the Baptist faith by Smyth, who is supposed to have baptized him. (Jessop, *Discovery of the errors of the English Anabaptists*, 65.) It seems probable that he returned to England with, or shortly after, Helwys, and that he later settled at Colchester as a preacher. (Crosby, *English Baptists*, I, 277.)

¹ Murton, *Objections answered*, 7.

² *Ibid.*, 21, epist., *et passim*.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

but cōsider by the Word of God . . . what they do, when they force men against their soules ād consciences to dissemble to beleeve as they beleeve, or as the K[ing] and state beleevēs, . . . ”¹ It is evident that the King’s authority extends no further than the punishment of the outward man,² and that his power has been appointed “onely to punish the breach of worldly ordināces, which is al that God hath given to any mortal man to punish.”³ If we lend obedience to the will of the King in spiritual concerns, it follows that God is left without any authority amongst men. The argument which the Government had so often advanced, that in compelling men to the formal observance of the rites of the Established Church it was concerned only with civil problems of decency and order, was explicitly denied by Murton. For if it be granted that the State cannot compel the soul, it would follow that it “cannot compel me to worship God, for God cannot bee worshipped without the soule.”⁴ The worship to which men are compelled in England must therefore be regarded either as a tyrannous forcing of conscience or as devoid of spiritual content.⁵

The King has no greater power in the Church than any other layman, and neither he nor the ecclesiastical authorities have any just right to coerce conscience. James, he declared, had frequently admitted this principle in the *Apology*,⁶ and certainly no religious man can deny it. For Christ’s “Kingdome is spirituall, His lawes spirituall, the transgressions spirituall, the punishment spirituall, everlasting death of soule, His sword spirituall, no carnall or worldly weapon is given to the supportation of His Kingdome, nor to punish the transgressions of the lawes of this Kingdome: . . . ”⁷ Spiritual errors may be

¹ Murton, *Obiections answered*, epist.

² *Ibid.*, 21.

⁴ *Ibid.*, 7.

⁶ Murton quoted James’s words in the *Apology*: “But as I wel allowe of the hyrarchie of the church for distinctiō of orders, (for so I understand it), so I utterly deny that there is any earthly monarch thereof, whose word must bee a law, and who cannot err in his sentence by an infallibility of spirit: because earthly kingdomes must have earthly monarchs, it doth not followe that the church must have a visible monarch too: for the world hath not one earthly temporall monarch, Christ is His Churches monarch, and the Holy Ghost His deputie.”

⁷ Murton, *Obiections answered*, 22.

³ *Ibid.*, 21-22.

⁵ *Idem.*, 7.

punished only by Christ, who has reserved the judgment in such cases to Himself.

The false jurisdiction which has been usurped in spiritual matters rests upon a misunderstanding of the nature of faith. It is strange, too, that this misapprehension should have arisen, for it seems obvious that no human agency can "convert a soule from goeing astray, nor beget faith." True faith flows only from the effect of God's Word and revelation on the minds of men. All that the magistrate can do "is to compell me to bring my bodie, for except their be a willing mynd which no man can see," religion cannot be gained.¹ We must give to every man the liberty which God has granted to him to find salvation in his own way, and we must not compel obedience where God has commanded none. The bloodshed and persecution which have accompanied the English Reformation have been the consequence of an arrogant and irreligious attempt to impose by force a particular set of religious notions on the nation. But the author represented that he had been led by the tolerant and clement spirit of James's writings to hope that a more Christian regime might now ensue. He declared that it was his request "of our lord the king . . . that he would not give his power to force his faithful subjects, to dissemble to beleeve as he beleeveth, in the least measure of persecution . . . seeing his matie confesseth, 'that to change the mynde must bee the work of God.'"²

Murton held that the most vicious argument which had been advanced to support the persecuting power of the Christian King was that which bestowed upon him the ecclesiastical authority of the Jewish kings. Even in Judea the power of the ruler to frame ecclesiastical laws was limited to the execution of the express commands of God. And in the era of the Gospel Christ has become the King of the Church and has reserved to Himself complete authority in matters of faith and religion.³ Thus there "is only deceit in these learned mens comparisons of the kings of Israel in the law, with the kings of nations in time of the gospel, in matters of religion."⁴ He implored James not to be trapped by this false comparison and to refuse

¹ Murton, *Obiections answered*, 13.

² Murton, *Humble supplication*, 46.

³ *Ibid.*, epist.

⁴ *Ibid.*, 49.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

"to sit in the consciences of men, to be lawgiver and judge therein."¹

Perhaps Murton's finest contribution to the literature of toleration is to be found in his eloquent vindication of the completely spiritual nature of religious faith. Following closely the Baptist philosophy, he taught that everything necessary to salvation is to be found in the Scriptures and that God has provided every man with the wisdom and the illumination required for the finding of saving faith in its message. Every soul may attain this saving knowledge through the inspiration of the Holy Spirit. But men may gain faith only by their own volition. No man can force the human soul, and any attempt to do so is an awful sin against God's express commandment. No writer has ever given firmer vindication to the principle of private judgment than did Murton.

In the *Humble supplication* the petitioners declared that the suffering which they had undergone was due almost wholly to the fact that they dared not "assent unto, and practise in the worship of God such things as we have not faith in, because it is sin against the most high." A man's religious profession has no meaning unless he is convinced in his heart and has experienced spiritual regeneration. No man may be compelled to faith and nothing can be cited in the Christian teachings which permits of persecution.² Religion must reside in the spirit and may not be advanced by any outward pressure.³ Christ has taught us that the only legitimate means by which men may be brought to a realization of religious truth is by the persuasive effect of the preaching of His Word.⁴ "He never taught them [i.e., the Apostles] to pull the contrary mynded out of their houses ~~ad~~ put them in prisons, to the undoeing of them, their wives and children: . . ."⁵

It is strange that all sects deny the right of any to persecute them, yet claim for themselves the right to persecute what they choose to define as error. Thus if the Protestants deny the Catholics the right to persecute, how can it be that it is not just as grievous an error for them to coerce others? Each sect pretends to embrace an exclusive body of truth and to possess

¹ Murton, *Humble supplication*, 50.

² Murton, *Objections answered*, 9.

³ *Ibid.*, 11.

⁴ *Ibid.*, 11-12.

⁵ *Ibid.*, 12.

the sole and infallible right of interpreting the Bible.¹ Murton would hold, on the other hand, that the individual and not the sect possesses the right of interpreting the Bible and that no sect or magistrate can possibly dictate to the Christian in this most important matter.

The interpretations which the individual Christian makes of religious truth enjoy greater validity, for him at least, than the decrees of any "Church, Council, Prince, or potentate."² The Scriptures are the sum of religious truth, and every man has been vested with the capacity for finding salvation from their inspiration. It is true that there are many "dark places" in the Scriptures which are difficult for us to understand,³ but God has given "to every particular Saint" the necessary illumination of the Holy Spirit for comprehending even these portions of the Bible so far as his salvation shall require knowledge of them.⁴ Experience has demonstrated that the persecuted and the lowly are usually more competent to understand and interpret the Bible, with God's help, than are the ecclesiastics and the learned. "God usually . . . hideth His secrets from the learned, and suffereth them to err and resist the truth, yea, so far as to persecute it, and the professors of it."⁵

We see clearly portrayed in this argument the anti-rationalistic and anti-intellectual tendencies of sectarianism. Saving knowledge of truth is gained by the earnest effort of the individual Christian, who will be guided by the illuminating presence of the Holy Spirit. The direction of the priest, the doctrinal pronouncements of the sects, and the explanations of the learned are of no assistance in this intensely personal quest for truth, and, indeed, if any force seeks unduly to influence the judgment of the Christian man, the Will of God is thwarted and salvation is endangered. It follows, too, that when any man gains, or thinks that he has gained, religious truth, no logical process and no authority can penetrate into the semi-mystical experience upon which his belief rests. For the State or Church to question or to repress such belief is the most vicious persecution.

The effect of this teaching was to contribute largely to the spiritual anarchy of sectarianism, but it was, at the same time,

¹ Murton, *Humble supplication*, 12.

³ *Ibid.*, 18.

⁴ *Ibid.*, 20-21.

² *Ibid.*, 14.

⁵ *Ibid.*, 26.

a most important dissolvent of doctrinal orthodoxy and a profoundly significant contribution to the development of religious toleration. It should be pointed out that in its philosophical roots and in its effect it was diametrically opposed to the rationalistic and semi-sceptical thought of the laymen of the period, who were approaching a theory of toleration by quite a different road.¹

Murton endeavoured to prove conclusively that all persecution and coercion in spiritual matters were against the very principles of the Christian religion and that they were likewise wholly ineffective. Persecution, he held, indicates a complete misunderstanding of the nature of faith. The law, though it may make weak men conform, cannot beget faith.² It is a vain instrument for changing the hearts and minds of men, since it touches neither. The Church and State should realize that "my soule wherewith I am to worship God, . . . belōgeth to another King, whose Kingdome is not off this world; whose people must come willingly; whose weapons are not carnall but spirituall."³ Even widespread spiritual error may not be punished by any earthly power, for God has reserved its punishment to Himself, and we sin dangerously if we usurp a prerogative which He has expressly retained.⁴ We have been commanded to wait for the repentance of those who are lost in heresy and error, and "not to cut them off and send them to hell," as the English Establishment insists upon doing despite the clear ordinance of God.⁵ The whole spirit and content of Christ's teachings should make it clear that persecution has been forbidden. Christ set aside the law of Moses completely and preached a law of gentleness and longanimity towards men who have not yet been regenerated.⁶ The note of the false Church has ever been persecution, since it demonstrates by a complete distortion of the will of the Head of the Church that it is not based upon the foundations which He has ordained for the Church Universal.⁷

¹ *Vide post*, 349-491.

² Murton, *Obiections answered*, 3-4.

³ *Ibid.*, 6.

⁴ *Ibid.*, 17.

⁵ *Ibid.*, 18.

⁶ Murton, *Humble supplication*, 35 ff. Murton bolstered his argument against the iniquity of persecution by carefully chosen extracts from James's writings. *Vide ibid.*, 37-38.

⁷ *Ibid.*, 39.

In this reasoning Murton showed how decisively the weakening of the doctrine of predestination was to redound to the benefit of religious toleration. The Calvinist could in logic put a blasphemer or an heretic to death with the assurance that God's will and purpose would not be thwarted. The fact of the heretic's execution had no relation whatever to the fact that he was predestined for salvation or damnation—that was in the hands of God. But to the Arminian Baptist the execution of a man who was evidently unregenerate was a hideous possibility. Every human being, no matter how deeply mired in error, had within him the potentiality of grace. The fact that he was trapped in heresy was a reflection rather more upon the missionary zeal of the Saints than upon the character of the lost man. To burn such a man would be to ensure his damnation and to commit an act of the gravest sacrilege against the command of God to reason with the lost and to provide every opportunity for his conversion through his natural life. This view of conversion profoundly influenced Murton's consideration of the nature and the proper structure of the Church and its relation to the problem of persecution. The Church of God is a voluntary association of the truly regenerate, and it can be nothing more or less than that. Therefore this communion cannot be founded upon bloodshed or force. The Anglicans err gravely in their efforts to identify their Church with the State by forcing the nation into conformity with it. "I never found," he wrote, "that blood, and too much severity did good in matters of religion, for besides; it is a sure rule in divinity that God never loves to plant His Church by violence and bloodshed, . . ."¹ And quite aside from the commandment of Christ, natural reason should persuade us that religious persecution fails to accomplish its purpose when exercised against either the Saints or those who err. For "the gallanthes off many mens spirits, and the wilfulnes of their humors, rather then the justnes of their cause, makes them to take a pride bouldly to endure any tormentes, or death itself, to gaine thereby the reputation off marterdome, though but in a false shadowe."²

Murton condemned the Church of England unreservedly on the grounds that it had been formed and maintained by coer-

¹ Murton, *Obiections answered*, 40-41.

² *Ibid.*, 41

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

cion.¹ "Is God's church thus planted? or do Christ's disciples thus plant?"² The Church of England has no regard for the spiritual condition of men so long as they come to its worship. Its point of view is so completely perverted that the diligence of its discipline is directed not at the corruptions which exist in its communion but at those persons who cannot in good conscience conform to its worship, and "if they will not come to your church: let thē be wheate or tares, you wil gather thē, and . . . send them to burning."³ Thus the adoption of a policy of coercion of conscience perverts the purpose and meaning of a Church and directs all of its energy and discipline towards the enhancement of its authority rather than to the true end of saving souls. Murton consequently called into serious question the validity of the orders of the Church of England.⁴

Persecution must be regarded as a mark of the false Church and may not be present in the constitution of a true Church, both because of the way in which it is organized and because of the truly spiritual character of its mission. Murton followed his co-religionists in detecting the roots of the persecuting motive in the ambition and arrogance of the clergy, who desire to perpetuate their positions and to enhance their prestige. These learned men contrive doctrinal formulae to fit their needs and then seek to impose their doctrinal system upon the nation. "Will you constrain us to captivate our consciences, and practise in that which in our souls we know to be evil,

¹ He charged that the Church of England had been founded "by violence and bloodshed forceing many thousands against their consciences to bee off our church, and to receive your sacraments, by all the persecutions that would followe: if they did not yeild, and those that feare God more then men, and dare not yeild, casting them into noysome prisons: amongst most wicked blasphemers off God, to the wounding off their soules. . . ." (*Objections answered*, 41.)

² *Ibid.*, 42.

³ *Ibid.*, 19.

⁴ Murton spent considerable time trying to prove that the Church of England and the Church of Rome were founded upon the same basis of coercion, and denied that such a 'Church' could be a true Christian communion. From the most generous point of view the Established Church could not be regarded as a suitable home for the regenerate. (*Ibid.*, 55-57.) Both Anglicanism and Romanism are constructed of the same timbers (*ibid.*, 61) and salvation can scarcely be found within them.

and contrary to the manifest law of the Lord, and that because the learned have so decreed?"¹ Future ages will as surely cry out against the cruelty and intolerance of the Protestant clergy in their effort to dictate to men in religion just as the seventeenth-century Protestants protest against the intolerance of the Jews and Catholics—"Yes, we are assured they will, as many millions do in other nations at this day."² And the very fury of the persecuting psychology is indicative of the fear which underlies it. The learned and powerful men in the Church are blinded and rendered bigoted by the fear that they will lose their positions if the truly tolerant and gentle truth of God should prevail. They do not dare submit the truth of their pretensions to the examination of reason and the revealing light of illumination. But pious and earnest men must resist their persecuting presumptions. Murton concluded eloquently, "If these learned could free us from the Lord's wrath, or, if they might answer for us, and we be free; it were safe for us to submit ourselves, and captivate our judgments and practice to them; but seeing they cannot so much as deliver their own souls. . . . We dare not follow any mortal man in matters of salvation further than we know him to agree with the meaning of God in the Scriptures."³

Having shown that the civil power had no proper authority in religion, having demonstrated that true faith was gained only in an atmosphere of freedom and liberty, and having exposed the unworthy bases of persecution, Murton then turned to a defence of religious toleration as the proper solution for the manifold troubles which had for so long impeded the progress of religious truth and had brought destruction to the just and the unjust alike.

Though he did not argue the case as fully or as convincingly as his Baptist predecessors, it seems clear that Murton advocated complete religious liberty for men of every spiritual persuasion. He stated in the *Epistle* of his earlier work that he had been impelled to bring still another book into the world because he was so distressed by the heinous sin of forcing men and women "by cruell persecutiōs to bring their bodies to a worship, where-

¹ Murton, *Humble supplication*, 30.

² *Ibid.*, 32.

³ *Ibid.*, 34.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

unto they cannot bring their spirits: . . ." He regarded it as his duty to God, his faith, and his country to prove that "no man ought to be persecuted, for his religion be it true or false, so they testifie their faithfull allegiance to the King."¹ He had already demonstrated that persecution was a violation of the Will and Law of Christ, and he declared that it remained for him to prove that the King should require nothing more of men than civil obedience and loyalty.² Murton charged that the Oath of Allegiance, as then administered, was the greatest single legal impediment to religious liberty. It was tendered to all who did not come to church or who refused the sacrament. The fact of going or of not going to church bears no conceivable relation to a man's loyalty to the Crown. "Doth the King require my coming to Church to worship and serve God, or to worship and serve the King?"³ Certainly, to conform to a religious system to which one is not persuaded in conscience denotes neither obedience to God nor loyalty to the King.⁴ The State has nothing to fear from religious diversity, but it has much to fear from the hypocrisy and desperation which are engendered by the persecution implicit in a system of religious conformity.

It is evident that persecution and coercion work nothing but harm in religion. The teaching had long been accepted, however, that religious conformity was necessary for the maintenance of order in the State. Murton attacked this position in a careful and deliberate analysis which constituted a significant contribution to the theory of toleration. The Elizabethan settlement of religion had abandoned the earlier position that the State had a moral purpose in religious persecution. The system

¹ Murton, *Objections answered*, epist.

² *Ibid.*, 35.

³ *Ibid.*, 39.

⁴ "If I should come to church, and not of conscience, but for other respects, as many papists and other hypocrites do, to God it were most abominable and what faithfulness can be hoped for in such, towards his majesties person and state, can any godly wiseman thinke that he that playeth the dissembling hypocrite with God, that he will do lesse with men, and wil not worke any villany if it were in his power, and therefore . . ., you compelling me by tyrannie to bring my boodie, whereunto my spirit cannot be brought, you compel me to hipocrisie with God and man, . . ." Murton cited several passages from the King's own writings which offered support to this position. (*Ibid.*, 39-41.)

of enforced conformity had since been defended on the ground that no State could long exist in the face of religious diversity and that some order and decency were necessary in the religious life of the nation. Murton denied this position completely, and he was one of the first thinkers to demonstrate that religious liberty is not necessarily incompatible with political stability.

The Baptist thinker sought carefully to distinguish between religious freedom and civil obedience. He suggested that an oath of allegiance, or other suitable civil safeguards, could be framed to determine the loyalty of subjects. Disloyalty involves actions which the machinery of the State is competent to detect and judge. Loyalty and disloyalty are temporal matters which the State should handle as it sees fit. But these concerns have no connection whatever with religion or with religious liberty. Certainly, the act of striving after religious truth cannot be suspected of harbouring some treasonable intent. The Catholics have given reasonable cause for doubt as to the loyalty of some of their number, but this constitutes no basis for denying them religious liberty. In fact, it is very probable that the principal cause of Catholic disloyalty "hath bene because of al the compulsions that hath bene used against their consciences, in compelling them to the worship practised in publicke according to the Law of the Land."¹ If they were allowed liberty of worship, there is every reason for assuming that their natural allegiance to the King, their fear of the civil laws, and their instinctive desire for peace and prosperity would restrain them from any seditious actions.² In their case the persecution which has been used to restrain them from sedition has, in reality, driven them into despair and treason. Religious convictions and civil loyalty have no connection, and the roots of patriotism spring from different soil than the ties which bind men to their God.

Religious liberty will bring no harm to the State. It has been abundantly proved in the past that the State suffers no impairment even when it permits freedom of worship to sects which differ wholly in religion from the dominant group.³ The State is amply protected by the laws requiring civil order and loyalty.⁴

¹ Murton, *Objections answered*, 14.

³ Murton, *Humble supplication*, 44.

² *Ibid.*, 14-15.

⁴ *Ibid.*, 45.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Christ was the Prince of peace, not of sedition, and those who follow him will prove to be good and loyal subjects even though they dissent from the religion of the prince.¹

Murton very shrewdly pointed out that the English Government, in its protests against the Catholic doctrine that subjects might be absolved from their allegiance to an heretical prince, had, in fact, disavowed the position that religious conformity was necessarily a basis for political loyalty. The King should extend this reasoning and conclude that it is quite as wrong for the Government to "murder" its subjects for holding contrary views in religion as for the Papists to teach that excommunicated sovereigns may be deposed and murdered.² The prince owes protection and toleration to his subjects of a dissenting faith, in the same manner as they are bound to him by inviolable ties of civil loyalty, even if he be excommunicated or a member of an alien faith.³ The civil relation between the prince and his subjects has no connection whatsoever with the religion to which the prince or his subjects happen to adhere. Murton urged with reason that civil liberty had for too long been measured by the confusing and inaccurate test of religious conformity. The King should determine the fact of civil loyalty by civil means, and the question of religion should be completely divorced from it. The Baptist's argument was of great importance, especially since it went far beyond the plea of his own sect for religious liberty to the inclusion of all men.

Murton felt that the Anglican theory of conformity was the greatest single impediment to the attainment of toleration in England, and in his appeal to the Government completely to dissociate the temporal and spiritual spheres he recurred to a denunciation of the coercive system. The Established Church may well be compared with Rome in its persecuting zeal and persistent attachment to the misapprehension that men's souls may be won by force.⁴ What has been an occasional coercion in England would become at any time a bitter persecution were it not for the moderating influence of the Crown. The Anglican apologists occasionally admit that conscience cannot be forced,

¹ Murton, *Objections answered*, 15.

³ *Ibid.*, 16.

² *Ibid.*, 15-16.

⁴ *Ibid.*, 17.

but they seek to conceal coercion in the plea that the State should compel men to attend divine services in the hope that they may be converted. This is not the way of Christ. For the Lord clearly commands us not to force men to the hearing of His Word but to carry the Gospel to them.¹ There is no compulsion in Christianity; the Word is free and men may accept it or reject it as they choose. Therefore, he urged, "let not us be wiser thē God to device Him a meanes for the publishinge of His gospell, which He that had all power had not, nor hath comaunded."²

Murton concluded his defence of religious liberty by a plea to James "to repeal and make void all those cruel laws . . . that persecute poor men, only for matters of conscience." He reminded James that it was not in his power "to compel the heart; you may compel men to be hypocrites, as a great many are, who are false-hearted both towards God and the state, which is sin both in you and them. The vileness of persecuting the body of any man, only for cause of conscience, is against the Word of God, and Law of Christ."³

To this point in his argument Murton had been content to reiterate and expand the principles which his contemporary co-religionists had recently developed. In one important particular, however, he made a very significant contribution of an original nature. Helwys and Busher taught clearly that error should not be punished beyond the spiritual censures of the Church, but neither of these thinkers had given the matter detailed consideration. Murton indicated that complete religious liberty should be established and that the State and Church had no power to punish men for religious error. He faced the problems of error and its punishment squarely and honestly by considering the treatment which should be accorded to blasphemy, the most heinous of all spiritual maladies.

It was the normal view of all seventeenth-century religious communions that ideally at least blasphemy should be punished by death. Murton urged that this view resulted from an over-emphasis on the Old Testament and a misunderstanding of the Gospel. It is certainly true that under the Judicial Law blas-

¹ Murton, *Obiections answered*, 33.

² *Ibid.*, 34.

³ Murton, *Humble supplication*, 13.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

phemers were put to death. But the Judicial Law was abrogated by Christ, and both the spirit and the letter of the New Testament condemn any compulsion or persecution of conscience even in the most extreme cases.¹ If those who argue that blasphemers should be destroyed were logical, "all papistes ought to be put to death, . . . all the Jewes that speake many thinges blasphemously against Christ" should suffer the death penalty.² The orthodox position, he held, was as impossible as it was unsound. The Gospel swept away the physical punishments of the law, and Christ has reserved to Himself the judgment of blasphemy.³ Even the Jews, "who are such fearfull blasphemers of Christ ād his Gospel," are, by Christ's express commandment, not to be destroyed but are to be persuaded by the power of truth. In fact, the error of blasphemy may not be punished by any temporal penalty whatsoever. "No man for blaspheming Christ ād his gospel may be destroyed or afflicted by imprisonments, death, or any calamitie whatsoever."⁴ God's way is far from evident to the human mind and we must leave these men to the mystery of His purpose. We should recall that before his conversion Saint Paul was a notorious blasphemer whom orthodox theory would have destroyed. There is the gravest danger that men may by their presumptive arrogance seek to defeat God's purposes. Thus the orthodox agree "that because it was so in the time of the law, therefore it may be so in the time of the Gospell, by which reason, men might set up as truely the whole law as some parts, and utterly abolish Christ."⁵ The eyes of the Church have been too greatly attracted by the temporal splendour of the Jewish Church and have despised the humble and spiritual frame of the Church of Christ. The doctrine of persecution has been the evil fruit of this iniquitous disposition.

In summary, Murton presented a well-rounded defence of the theory of religious liberty. He dealt fully with the question of the power of the magistrate in spiritual matters, and urged that the slightest compulsion by the State in the realm of religion was an indefensible tyranny. England will find no peace and religious truth can make no real advance until complete

¹ Murton, *Objections answered*, 20

³ *Ibid.*, 23-24.

⁴ *Ibid.*, 20.

² *Ibid.*, 23.

⁵ *Ibid.*, 24.

dissociation is effected between the temporal and spiritual spheres.

Murton gave to the principle of the right of private judgment and the doctrine of free will a powerful and eloquent justification. He declared that every man must find religious peace and faith in his own manner, and that the way of salvation will be gravely impeded unless conditions of absolute religious freedom prevail. Men gain saving faith, not by prescription, not by the accident of birth, or by the counsels of the learned, but by a patient wrestling with the truth as revealed in the Scriptures, assisted by that illumination which God has promised to all who need and seek His Truth. No sect or Church can prescribe or define religious truth for any man, and the attempt to do so is in the nature of persecution. Religion is an intensely personal matter in which the individual is the lowest common denominator.

It followed from this individualistic and semi-mystical conception of religion that Murton condemned religious persecution of whatever degree as an outrageous violation of the human conscience and a usurpation of a province which God has reserved to Himself. Persecution is likely to damn men eternally who might have been redeemed if they had enjoyed time and freedom to come to an understanding of God's Truth. Persecution can have no place in the true Church, and it is normally a mark of the false Church. Intolerance and force cannot possibly accomplish even moral amendment, and tend rather to drive men deeper into perversity and error. The psychological sources of persecution are to be found in arrogance and fear, and in the dread that one's position would be threatened if the light of truth and the full power of spiritual persuasion were permitted free scope.

Murton advocated religious liberty as the medium in which God's purpose would be most certainly realized, and as a panacea for the civil and spiritual dissensions which the system of enforced conformity had engendered in England. He shrewdly argued that the political unity of a nation has no connection whatsoever with the religious unity, or diversity, of that nation. He pointed out, with reasoning which reminds us of the *Politiques*, that the sources of patriotism differ radically

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

from the roots of religious belief, and stressed the view that civil loyalty may be accurately determined, whereas religious error is not susceptible of such easy demonstration. The fact that a man is a dissenter in religion is by no means an indication that he is disloyal politically. Murton was highly convincing in his argument that the State would be enormously strengthened if it cut away all of its connections with the system of enforced conformity, and left men free to think and worship as they chose, insisting only that they remain good Englishmen.

The great Baptist apologists had made profoundly important contributions to the theory of religious toleration. They had systematized the thought of their predecessors and had broken new ground in their examination of the forces which had for so many centuries made religious devotion synonymous with religious bigotry. They framed their theory of toleration in the light of seventeenth-century political and religious conditions and displayed a disposition to defend toleration upon 'politique' grounds as well as upon the basis of moral right. In this particular they were sharply distinguished from the laymen and moderates, who undertook their investigations with a coolness and a dispassion which marked them as philosophers rather than as deeply pious men. The Baptists had demonstrated that it was possible for devout and intensely evangelical men to regard error and rival creeds tolerantly and charitably. This disposition was seated rather in the philosophy underlying Baptist thought than in the temperament of the Baptist apologists, and it consequently guaranteed that the sect which these leaders founded in England would not depart substantially from the principles which they had enunciated. The Baptists had reared in the welter of rival fanaticisms and bigotries which characterized the period in England a tolerant and reasonable religious theory which offered quite as much hope to England as the noble system of comprehension which Elizabeth had framed, which the great Anglican apologists of the preceding generation had defended, and which the laymen and moderates were about to reinterpret in the light of changed conditions.

IV

THE LAYMEN AND THE MODERATES

A. GENERAL CHARACTER OF LAY THOUGHT, 1603-1640

We have previously pointed out the importance of lay thought in the development of religious toleration.¹ During the sixteenth century the discussion of the manifold problems which surround the phenomenon of religious diversity remained almost exclusively in the hands of the clergy. It is of the greatest significance that during the seventeenth century there was a growing tendency for these discussions to become secularized, and profoundly important modifications in the general attitude of Englishmen towards the question of toleration were the consequence of this development.

During the period with which this study is concerned the approaching religious crisis and the conflicting aims of the two powerful religious groups in England had resulted in a constantly accelerating trend towards extremism. Neither the Puritans nor the Laudian clergy of 1640 were prepared to make the slightest compromise. Both of these religious groups relentlessly pursued a programme designed to establish in England a national Church which would permit no dissent in doctrine or in discipline, and, as the issue became more sharply defined, the thought of these groups became more bigoted and intolerant. It is principally for this reason that both Anglican and Puritan thought in the early seventeenth century compares very unfavourably indeed with the more resilient and comprehensive thought of these groups in the Elizabethan period. Clerical thought became harsher and more rigid as the struggle wore on, until at the convention of the Long Parliament both sides had committed themselves to such intolerant positions that the differences which separated them could be resolved only by war.

While this crisis was approaching, the various sectarian groups had been able to root themselves in England, founding

¹ Jordan, *Religious Toleration*, I, 300-303.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

their communions on principles which wedded them to the doctrine of religious toleration. We have noticed that the leaders of these groups had made contributions of the highest order to the development of toleration, and that these principles had attracted thousands of men and women in England who had grown tired and fearful of the ever sharper battle-cries of the Puritans and Anglicans. The thought of these obscure clergymen was to have a powerful influence upon religious history when war, always the logical end of extremism, had dissolved orthodoxy and had demonstrated to all sane men that the ideal of uniformity was not attainable in England if the civil State were long to exist. But before 1640 the effect of these thinkers upon the trend of English religious history was slight.

During the Elizabethan period the dangerous pretensions of both the Anglican and the Puritan extremists had been carefully curbed by an intelligent and moderate Government. The Government had devoted itself to the noble ideal of framing an ecclesiastical structure which, while thoroughly Protestant, would be comprehensive enough to afford a spiritual home for the vast majority of Englishmen. The State had steadfastly declined to define too exactly either the doctrinal or the disciplinary position of this Church, and it had stifled extremism by the very diffusion of its policy and thought. Unfortunately, however, the Stuarts were afflicted with that logical type of mind which insists upon precision of definition and the exact delimitation of the bounds of authority. The hazy doctrine, the tempered Erastianism, the vague nature of the episcopacy, and the very diversity within the Elizabethan Church had provoked both James and Charles to heroic but fatal efforts to rationalize and define the structure and to force their definitions upon England. It so happened that the ecclesiastical conception to which the Stuarts were at last persuaded alienated not only the powerful Puritan minority but the majority of the moderate Anglicans as well. Thus the Government under Charles I became closely allied with one of the extremist parties within the Church, and conflict was made inevitable.

The implications of these developments in clerical and governmental thought and policy were observed by tolerant and moderate Englishmen, schooled in the Elizabethan tradi-

THE LAYMEN AND THE MODERATES

tions, with the most lively apprehension. It would seem highly significant that during the period under survey there was a large body of lay thought, moderate in character, and sharply critical of the intolerant pretensions of the clergy and of the unbelievably stupid religious commitments of the Government. This body of thought represents the sentiments of all classes of society and of all shades of religious opinion, and achieves its unity in the fact that the intelligent layman had come to see that moderation, if not toleration, alone could prevent a catastrophe which would engulf both the religious and the civil societies in England.

We have previously attempted to define as precisely as possible the meaning of lay thought and to indicate the essential qualities which we discover in it.¹ It should be observed that lay thought in seventeenth-century England was still deeply religious in its character, but that it had gained, on the whole, an objective, catholic, and moderate temper which distinguishes it very sharply from the subjective and generally bigoted philosophy of the cleric. When a lay thinker has identified himself completely with a sect or has undertaken the defence of any particular religious point of view, we have been disposed to regard him as a contributor to that species of religious thought rather than as a lay thinker.²

The existence of a larger body of lay thought in this period indicates that the layman was at once becoming more articulate and, fearful of the consequences of clerical intolerance, endeavouring to take the settlement of the almost insoluble problem of religious diversity out of clerical hands. The style of the lay writers tended to break sharply with the traditional patterns of religious writing and to secularize the profoundly important discussions of the period. The laymen know their Bible, but they tended to draw their ideas from wider sources, to write more simply and trenchantly, and to address an audience as wide as England itself. Their point of view was restrained, sober, and remarkably moderate when compared with the Puritan and Anglo-Catholic apologists of the period. Quite evidently new currents of thought, new approaches to the

¹ Jordan, *Religious Toleration*, I, 300 ff.

² This distinction acquires special significance after 1640.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

problems of the age, and strikingly temperate qualities of mind were dissolving by common sense and nobility of spirit religious axioms which were not only unfitted but dangerous to seventeenth-century society.

The lay thinkers of the period may best be studied under three fairly clearly defined divisions, though, as we have observed, they were bound by common similarities of breadth of view and nobility of temper. Perhaps the most distinguished group of laymen in this period were the Moderates, or Latitudinarians. While profoundly religious in temperament, while devoted to the Church and its aims, these thinkers had disowned religious bigotry and sought to reconstruct the Church of England on broader bases of unity and on more charitable and tolerant conceptions of religion. This group included men of many types, and it suffered from lack of cohesion and from the Liberals' unwillingness to embrace any cause with fanatical enthusiasm. It sketched, therefore, a noble and tolerant pattern of religious life with an air of calm and detachment at the very moment when religious and political rancour were about to precipitate England into civil war. The moderate is always ineffective in such periods of crisis and passion and, if he is not forced into one or the other extremist camp, he is doomed to extinction in the clash of bigotry and fanaticism. But the Moderates supplied England with a sane, thoughtful, and reasonable solution for her religious troubles—a solution to which she was to return after the indecisive conflict of rival factions had left her disillusioned and bankrupt of ideals. It is in these circumstances that the Moderate achieves his vindication.

Of lesser importance but endowed with keener insight were the Rationalists and Sceptics of the period. It was in this generation that rationalism had its beginning in England, rooting itself in the new philosophical currents of the century and in the inevitable reaction to which intelligence was driven by the unedifying spectacle of rival ecclesiastical groups making mutually contradictory, unreasonable, and, at times absurd claims with an air of absolute certainty and assurance. This group, though small during the period under survey, was to have its point of view vindicated by the bigotry displayed during

THE LAYMEN AND THE MODERATES

the Civil Wars and by the ineffective attempt of the Saints to rule England. During the second half of the century this group was to contribute powerfully to the change of the complexion of English thought.

The survival of the strongly entrenched Elizabethan traditions respecting the relations of Church and State and the fear which the announced policies of both the Puritans and the Anglo-Catholics aroused in patriotic and moderate Englishmen formed the basis for the development of another important group of lay thinkers who may best be described as Erastians. These men surveyed the religious scene from the point of view of political theory rather than from the narrow position of the existing ecclesiastical and governmental structures. They regarded the religious strife which distracted England throughout the first half of the seventeenth century as dangerous to the State and destructive to religion itself. They viewed with the greatest alarm the claims of the clergy to a dominant role in the councils of the nation. They taught that if the religious leaders could not set their own house in order and find a reasonable solution to the religious problems which harassed England, the Government would be obliged to intervene and order religion in the interests of the nation as a whole. This group contained men of the most powerful and critical intelligence, and contributed largely to the ultimate triumph of the lay spirit over the clerical.

B. THE ARMINIAN REVOLT AND THE DECAY OF DOCTRINAL ORTHODOXY; EFFECT OF THE DISINTEGRATION OF CALVINISM UPON THE DEVELOPMENT OF RELIGIOUS TOLERATION

Though English lay thought had its roots in the English religious problems of the age, and though it addressed itself primarily to the solution of those problems, it was profoundly influenced throughout the first half of the century by religious developments in Holland. In few periods in English history has thought been so vitally affected by ideas and occurrences in a foreign country. Not only were there hundreds of highly articulate Englishmen resident in Holland as religious exiles throughout the period under consideration; not only was there

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the bond of close affinity, especially during the reign of James I, between beleaguered orthodoxy in the two countries, but there was, at the same time, the closest cultural and religious contact. Englishmen regarded Holland as the laboratory where the problems of diversity and liberalism in relation to orthodoxy were being worked out somewhat in advance of English developments, and the religious and intellectual history of Holland was followed with absorbing interest by all groups in England. For this reason the momentous Arminian controversy was regarded by Englishmen as almost a domestic problem, and it aroused in England reactions and currents of thought which were to be of the greatest importance. Upon no group in England did these Dutch developments have a greater influence than upon the Moderates. Consequently it would seem advisable, before undertaking a survey of lay thought in England, to examine in some detail the development of religious thought in Holland.

1. EARLY OPPOSITION TO CALVINISTIC ORTHODOXY, 1571-1590

We have previously commented upon the beginnings of Arminianism in Holland, and have indicated that the movement arose as a protest against the rigidity and intolerance of Calvinism.¹ The spiritual ideals of Calvinism had attained in Holland an early and fairly complete development.² As early as 1571 the then exiled Dutch Calvinists had framed the ecclesiastical structure which they proposed to impose upon their country when it should be delivered from the fury of Spanish persecution. After 1579 they began to return to Holland and by a series of treaties with the Governments of the several States an Established Church was created which, for the time being, admitted dissenting groups to a toleration. The Treaty of Utrecht had allowed religious freedom to the Roman Catholics in the Netherlands, but very shortly after the triumph of Calvinistic orthodoxy a series of repressive measures were promulgated against them.³ At the same time, the Established Church became extremely harsh towards the earlier and more

¹ Jordan, *Religious Toleration*, I, 124-125, 331-334.

² Troeltsch, *Social Teaching of the Christian Churches*, II, 682-683.

³ Knuttel, W. P. C., *De toestand der nederlandsche katholieken ten tijde der Republiek* (The Hague, 1892, two vols. in one), I, 14.

liberal sects which had established themselves in the larger cities, and it was soon evident that Dutch Calvinism was not prepared to permit diversity of religion in a State which had not yet completely thrown off the persecuting yoke of Roman Catholic bigotry.

The attempt of the predominant Calvinistic group to erect a tolerant Church-State system did not go unchallenged. There were no fewer than four important sects already firmly rooted in the Netherlands and, despite the restraining hand of the Government, bitter rivalry and controversy broke out. Toleration in Holland developed as a consequence of the fierce opposition of these dissenting groups to orthodox rigidity and intolerance, assisted, in a later phase, by the defection of the liberal Arminian wing from the Established Church. All of these forces were fused almost immediately on the basis of toleration into a coherent and highly articulate opposition. This revolt was to take the form of an academic protest against the doctrine of absolute predestination, but the animating feature of the movement was a noble insistence upon the philosophical right of every man to worship as his conscience dictated.

The intellectual and moral basis for this liberal movement was supplied by D. V. Coornhert (1522-1590), who attacked the validity of the Calvinistic doctrinal system, challenged the attempt of the Established Church to repress dissenting sects, and defended in memorable terms the doctrine of religious toleration.¹ Coornhert's protest against the increasing intolerance of the ministers gained considerable support and led, four years before his death, to a demand for the liberalization of the *Belgic Confession of 1562*. Coornhert died just as the controversy was assuming serious proportions. The Calvinistic party viewed the spread of these heterodox teachings with the greatest concern and began to gird itself for the defence of the Church.

2. JACOBUS ARMINIUS, 1590-1609

The stage was well set, indeed, for the appearance of Arminius as the leader of the anti-Calvinistic group. He, and

¹ Jordan, *Religious Toleration*, I, 124-125, 331-334.

his great colleague Uyttenbogaert, had been trained at Geneva, where they had come under the influence both of orthodox Calvinism and of the liberal teachings of Perrot. Perrot enjoined Uyttenbogaert before he left for the Netherlands never to assist in condemning anyone for not agreeing in every point of religion with the Reformed Church, so long as he remains faithful to the fundamentals of Christianity.¹ Arminius had broadened one of the best educations of his age by wide travel and study in Italy, and by contact with many religious thinkers throughout Western Europe. He was possessed of a clear mind, rare culture, and a grave piety. Tulloch has ably characterized his mind as having "a certain sharpening quality—quick, decisive, and polishing in its effects—like a whetstone or file."² Arminius's sympathies and devotion were wedded to the long Dutch tradition of Christian humanism and liberalism which may be traced through Coornhert back to Erasmus.³

In 1588 Arminius began his ministry at Amsterdam and was in that year called upon to refute the tolerant and heterodox views of Coornhert. This assignment proved to be the turning-point of his life, for as he perused the writings of Coornhert and his followers he was gradually won over to the support of their views, particularly on the subject of predestination. He proceeded cautiously and it was not until the year of Coornhert's death (1590) that he announced his dissatisfaction with the orthodox position.⁴ His own thought evolved gradually in the sermons of these years until in 1593 Plancius felt obliged to bring definite charges of heresy against him. Arminius returned rather evasive explanations of his position, and the rupture with the Established Church was for the time postponed.⁵ But the great liberal continued to be troubled by the

¹ Borgeaud, C., *Histoire de l'Université de Genève*, 159.

² Tulloch, J., *Rational Theology and Christian Philosophy in England in the Seventeenth Century* (1872 ed.), I, 13.

³ Smith, Preserved, *A History of Modern Culture*, I, 381; Troeltsch, *Social Teaching of the Christian Churches*, II, 683.

⁴ Harrison, A. W., *The Beginnings of Arminianism to the Synod of Dort*, 24-26.

⁵ Arminius was charged with teaching that God condemned no one save for definite and wilful sins, and that all infants were acceptable to God. When accused of rejecting the doctrine of original sin, Arminius replied that he had understood "definite sin" to include "original sin."

apparent harshness of the doctrine of predestination, and in 1597 resolved his doubts in a lengthy correspondence with Francis Junius, professor of theology at Leyden.¹ His views were still moderate and circumspect, and his doubts did not extend farther than the position that God could not by His own nature contravene the law of justice and mercy by decreeing the election or the damnation of men.² In the following year he extended his criticism of the doctrine when he published his lengthy and laboured *Examination of Dr. Perkins' Pamphlet*. He here asserted that Christ died for all men and not for the elect alone, and that to deny this is tantamount to a denial of Christ's teachings and ministry. By 1602 Arminius was regarded as the intellectual leader of the liberal party, and when in that year the professorship of theology became vacant at Leyden he was appointed to the chair through powerful lay influence, despite the savage opposition of Gomarus and the orthodox faction.

These developments had greatly exercised the Calvinistic party, and stern demands were presented to the various State Governments requiring the repression of heresy and heretical opinions.³ The question of toleration was subject to lively discussion and controversy in the university,⁴ and Arminius was called upon to explain more explicitly his position on the all-important doctrine of predestination. In his disputes before the university in February 1604, he defended the view that large liberties should be extended in all controversial matters and that "whilst men adhered to necessary truths, they ought to be allowed a moderate liberty of prophesying, in order to inquire into truth with edification; which would be the right way to avoid schisms, to lessen the number of sects, and to restore peace to Christendom."⁵ Then, casting off his timidity, Arminius declared that men were damned through their own iniquities, and that God had ordained salvation for all who would have it. He charged, shortly afterwards, that the clergy did not understand their own beliefs concerning predestination and that some of their positions were clearly contrary to the Word of God.⁶

¹ Arminius, *Works* (ed. James Nichols), III, 1-248.

² *Ibid.*, III, 44.

³ Brandt, Gerard, *History of the Reformation and other ecclesiastical transactions in and about the Low Countries* (1720-1722), II, 2-3, 8, 9, 15.

⁴ *Ibid.*, II, 20.

⁵ *Ibid.*, II, 31.

⁶ *Ibid.*, II, 32.

The moderate sentiments which Arminius had publicly embraced linked him definitely to the humanistic tradition which Dutch orthodoxy feared far more than the growing strength of sectarianism. We have already commented on the exclusive "church character" which Calvinism assumes whenever possible.¹ And in the Netherlands it seemed evident that the Church of God, founded after so many trials, was to be sapped of its strength by a liberal tradition whose very doctrinal tenets were suspect. We have observed that the doctrine of predestination formed the central pillar of the Calvinistic dogmatic system, and it was therefore natural that the controversies in the Low Countries should rage around this teaching, though the issues at stake rapidly acquired a far broader significance. Correctness on this doctrine became the symbol of orthodoxy, and Calvinism selected this rather narrow area for its defence. This position was intelligently chosen, for the psychological effect of the doctrine of predestination had been to give to Calvinism a vigour, a solidarity, an assurance, and a militant strength which had been most largely responsible for its remarkable offensive power during the previous generation. The doctrine had endowed the middle class, which had embraced it so tenaciously, with a sense of status and a certainty of position which it was unwilling to relinquish without bitter contest. The orthodox in Holland consequently viewed with the liveliest apprehension the restrained, but none the less evident, dislike of the Moderates for the harshness and intolerance of the doctrine. Though the softening and the ultimate disintegration of the doctrine must be counted as one of the most important of the factors contributing to the development of toleration, it should be observed that directly confidence had been destroyed in this mainspring of the Calvinistic system, the power and militancy of Protestantism came to an abrupt end. Calvinism had spread with incredible rapidity throughout Northern Europe so long as its adherents were sure of their election, so long as the ideal of the City of God was before their eyes, and so long as they felt the hand of God clearly upon them. The relativism and the semi-rationalistic tolerance of the liberal groups, which were now revolting from

¹ *Vide ante*, 199–206, for a fuller analysis of Calvinistic thought.

THE LAYMEN AND THE MODERATES

orthodoxy, rapidly robbed it of this remarkable strength. It was therefore inevitable that both in Holland and in England the united forces of the elect should be rallied for the defence against those groups which challenged the validity of Calvinistic dogmatic certainty.

The learned Gomarus expressed these sentiments when in his lectures at the university in October 1604 he bitterly assailed Arminius.¹ Arminius refrained from an immediate reply, but wrote in evident distress to Uyttenbogaert that want of charity and the intolerant defence of the whole body of dogma were destroying the peace of the Church and hindering the progress of the Reformation. He charged that the orthodox party was making salvation depend upon the acceptance of every minute point of dogma,² and that by its strained interpretation of the doctrine of predestination it was representing God as "the author of sin; nor that alone; but also that God really sins, nay, that God alone sins."³ It should be clear, on the contrary, that God appointed "Christ as the mediator to save all who should believe on Him and to give them sufficient grace so to believe. God foreknew, but did not foreordain, who would be saved and who would be damned." God stands ready to save all who will believe on Him, and His mercy is so great that infants who die without sin will be saved as will the virtuous heathen.⁴

So disturbed was the state of the Dutch Church that Arminius endeavoured to check the further discussion of the controversial subjects which were exciting such acrimonious disputes. When his term as rector of the university expired, however, he sought to set out his solution to the problem of

¹ Brandt, *History of the Reformation*, II, 31.

² "Whilst we are quarrelling with each other, we cannot easily distinguish between the dictates of reason and the transports of passion; nor reflect upon that imagination of the necessity of those articles that are in dispute, which is born, in a manner, with all that differ from one another. There does not appear any greater evil in the disputes concerning matters of religion, than the persuading ourselves that our own salvation and God's glory are lost or impaired by every little difference." (Quoted *ibid.*, II, 37.)

³ Arminius, *Works*, III, 657.

⁴ The heathen, Arminius suggested, would probably be saved by being afforded an opportunity for the acquisition of greater religious knowledge. Cf. Zwingli's views on this interesting and difficult question, Jordan, *Religious Toleration*, I, 328-329.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

religious differences. In a great speech¹ he championed religious toleration as the most effective means of healing the dissensions in the Church and proposed that the civil power should be employed for the restraint of selfish men who sought to destroy this liberty rather than for the coercion of opinion in the interests of the dominant religious group. Arminius admitted that unity in religion was ideal, and that there were grave dangers in religious dissension.² No man is able to maintain a neutral position in a religious controversy; thus two extreme camps are formed and the dispute tends to grow wider until it becomes well-nigh incurable. This tendency arises from the deep-seated, though erroneous, conviction of the individual that salvation depends upon the zealous defence of his own doctrinal views.³ Moreover, these dissensions are stirred by selfish magistrates who intervene in a religious dispute under the guise of zeal for truth in order to further their own selfish ends.⁴

The greatest danger which flows from religious dissension is the disposition to defend our spiritual views, when controverted, by persecution. The more powerful party will seek to impose its views upon the weaker by exterminating it, if more moderate means fail.⁵ Persecution arouses the most dangerous and the basest instincts of man, and in the prosecution of its ends no means, however brutal and irreligious, will be spared.⁶ If it so happens that the contending factions are nearly equal in strength, "or that one of them has been long oppressed, wearied out by persecution, and inflamed with a desire for liberty, and

¹ "On Reconciling Religious Dissensions among Christians," February 8, 1606.

² Arminius, *Works*, I, 373-374.

³ *Ibid.*, I, 375.

⁴ "When the nature and tendency of this species of discord have become quite apparent to worldly-minded rulers, they have often employed it, . . . for the purpose of involving their subjects in enmities, dissensions, and wars, in which they had themselves engaged for other reasons." (*Ibid.*, I, 376-377.)

⁵ "For if it happen, that one party considers itself the more powerful, it will not be afraid of instituting persecution against the party opposed to it, and of attempting its entire extermination." (*Ibid.*, I, 383.)

⁶ In effecting their end a persecuting party "spares no injury, which either human ingenuity can devise, the most notable fury can dictate, or even the office of the infernal regions can supply. . . . Those who differ from the stronger party are attacked with all kinds of weapons; with cruel mockings, calumnies, execrations, curses, excommunications, anathemas, degrading and scandalous libels, prisons and instruments of torture." (*Ibid.*, I, 384-385.)

THE LAYMEN AND THE MODERATES

if the oppressed party assume courage, summon all its strength, and collect its forces, then most mighty wars arise . . . the armies charge each other, and the struggle is conducted in a most bloody and barbarous manner." Such a war is infinitely worse than ordinary civil conflict because it is fed by the profoundest emotions of man. Religion, Arminius said, has experienced the fate of the young lady mentioned by Plutarch, who was sued by several lovers. When they could not agree which was to possess her, they fell to violence and cut her body to pieces, each taking a portion. Unfortunately, however, the soul and the identity of the young woman had been destroyed by the zeal of the contestants. In the same manner, religion is in mortal danger from the disputes, the bitterness, and the intolerance inspired by religious controversy.

Religious dissension has many roots and can scarcely be prevented so long as the present disposition of every party to regard itself as the custodian of infallible truth prevails. There are many ambiguous passages in the Bible and some of them cannot possibly be interpreted with certainty. In these questions one view has quite as much authority as another, and to insist upon the complete acceptance of a particular interpretation can be described as nothing less than bigotry.¹ The Christian world will never have peace until it adopts the principles of toleration. The sects are so busy defending peculiar dogmatic systems and so absorbed in the attempt to destroy those who differ from them that they have quite forgotten the many bonds which join all Christian communions. If they will but adopt a moderate and tolerant attitude respecting the differences which exist between them, the points of agreement "will perhaps be found to be so numerous and of such great importance" that their differences will fade into insignificance.²

3. THE POLITICAL IMPLICATIONS OF THE ARMINIAN REVOLT; DEVELOPMENT OF ERASTIANISM; THE COUNCIL, ALTHUSIUS, ARGUMENTS OF UYTTEBOGAERT, 1600-1609

The religious dispute had by this time engaged the attention, and much of the energy, of the clergy and had gravely alarmed

¹ Arminius, *Works*, I, 390, 397-399.

² *Ibid.*, I, 408.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the Government. The religious struggle was greatly complicated by the fact that it had likewise acquired political significance. The orthodox party was strongly nationalistic in temper, advocating a closely centralized State, and allying itself with Maurice of Nassau.¹ The bonds between the State and Church were many. The endowments of the Church were rich and ancient, and the State was not willing to permit the property of the Establishment to slip from its control and to become a bone of contention between rival sects.² At the same time, Maurice and the burgher class distrusted the federalism of Oldenbarneveldt, who very shortly became the political champion of the Arminian party. The controversy therefore became hopelessly involved with political complications. Calvinism in Holland, as in England, speedily became a conservative influence attempting to force back the rising tide of liberal and rationalistic ideas.

Holland had not yet completed an heroic and bloody struggle to gain her independence—a struggle whose beginning few living men could remember—and many patriotic men were gravely disturbed by the terrific animosity and the danger of disintegration which seemed implicit in the Arminian revolt from orthodoxy. This feeling led to a disposition on the part of the States General and one wing of the intellectuals to embrace Erastianism. The quarrels and controversies of the warring religious groups must be curbed in the interests of the State in order to prevent precisely that species of religious civil war which had followed upon the assumption of a fanatical religious policy by Spain in the Netherlands.³

Amongst the thinkers of the period Althusius most clearly reflects these sentiments. Religion, he urged, should be subordinated to the best interests of the State.⁴ The Church is closely linked with the State, and its officers should be regarded

¹ Smith, *Modern Culture*, I, 381; Figgis, J. N., *Studies of Political Thought from Gerson to Grotius* (1923 ed.), 182–183.

² Motley, J. L., *The Life and Death of John of Barneveld* (1874 ed.), I, 43.

³ This sentiment was strengthened by the fact that in 1600 one half of the population of Holland was regarded as Catholic in sympathy. (Motley, *John of Barneveld*, I, 40.)

⁴ Althusius, Johannes, *Politica Methodice Digesta* (ed. C. J. Friedrich, 1932), 272–273.

THE LAYMEN AND THE MODERATES

as part of the general civil machinery.¹ In order to preserve itself the State should exercise a careful supervision over religion, should restrain the passionate discussion of disputed questions of dogma, and should prohibit controversy in non-essential points of doctrine.

The State should, however, maintain a tolerant and moderate position in religious questions. It must not be forgotten that religion is intensely subjective in its nature, and the civil power should be guided by the axiom that religion cannot be forced. "We cannot command religion. . . . Those who err in religious matters must not be ruled with physical force, with corporeal weapons, but with the sword of the spirit. . . . In this matter the government should leave to God that which is God's who alone impells, moves and changes the heart."² The Government should not demand religious uniformity as the test of political loyalty. Its interests are invaded only when opposing religious groups, taking their stand on the Bible, threaten the peace of the State. At this point the State may intervene and crush the party which differs from the established faith. Althusius recognized, however, that "if a dissenting sect were too strong" such an action might have the ill effect of provoking civil war, and in such a case it would be better to "tolerate the dissenters until God illuminates them."

The State, Althusius argued, must maintain a wholly objective attitude towards religion and must not under any circumstance commit itself too zealously to the defence of any religious group. The Government must steer its policy cautiously through the opposing winds and the treacherous currents of diversity.³ Any group may be tolerated for political reasons save those that are atheistic and grossly heretical, and these should be put down because the beliefs which they champion endanger the State.⁴ The individual has no natural right to demand liberty nor has the sovereign any positive duty to grant it. The point of view of the State must remain wholly political.

While this position accords to toleration no more than a grudging approval, it was to be one of the most fruitful sources

¹ Figgis, *Political Thought*, 183.

² Althusius, *Politica Methodice Digesta*, int., lxxxii.

³ *Ibid.*, int., lxxxiii.

⁴ *Ibid.*, 273.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

of religious liberty in both Holland and England. The State must refuse to embrace too devotedly the interests of any religious party, and its first concern must be that of self-preservation rather than the preservation of orthodoxy. If dissent becomes too strong to be controlled easily, it must be tolerated as the lesser of two evils.

The predominance of this point of view in the Calvinistic States General was demonstrated by its valiant, if unsuccessful, efforts to curb the rising tide of bigotry. To the thunderous demands of the orthodox clergy for a national synod called to discipline the Arminians, it declared that it would convene such a body only if the Confession and the other doctrinal formularies were submitted for revision.¹ This position was assailed by the clergy and by the provincial synods,² one of which declared that the Government could not be regarded as truly Christian until it had "banished all the sectaries, or such as refuse to embrace the reformed religion, within a certain time."³ The States sought to gain a private settlement of the difficulties by requiring Arminius and Gomarus to appear before the Great Council in the presence of four ministers, in order to air their differences. The disputants were restricted to a discussion of predestination and freedom of the will. The Council, evidently tired of theological bickering, declared that the two champions did not differ in the fundamentals of faith and required them to live at peace.⁴ Moreover, the Council sought to prohibit the discussion of the disputed questions in the provincial synods held during 1608, but the outcry was so great that freedom of discussion had to be granted. The demand for a national synod was renewed, and so heated were the passions displayed in the local meetings of the ministers that the young Grotius wrote in a deeply pessimistic vein that the controversy would probably become more critical. He mourn-

¹ March 15, 1606, Brandt, *History of the Reformation*, II, 38.

² Harrison, *Beginnings of Arminianism*, 86.

³ To this pronouncement Uyttenbogaert testily replied, "Let not my soul come into such counsels. If you send away all the sectaries this day, you and I may prepare to follow them to morrow. Who shall defend the land, when dispoiled of so great a number of the inhabitants? To you and such as you may be applied what Tacitus says, 'Vastitatem quum fecissent, pacem vocabant.'" (Brandt, *History of the Reformation*, II, 43.)

⁴ *Ibid.*, II, 47.

THE LAYMEN AND THE MODERATES

fully predicted that Arminius might well suffer the fate of Castellion, who, "though a very learned and famous man, was reduced to such straits by the rage of his adversaries, that he was obliged to earn his living by sawing wood."¹

The States General again interfered, and on October 30, 1608, summoned Arminius to give a full exposition of his views.² The great liberal declared that it had been his steadfast aim to avoid all schism and dissension,³ but that he had been obliged to disown the orthodox interpretation of the doctrine of predestination since it contained "many things that are both false and impertinent, and at an utter disagreement with each other."⁴ Nor could he regard belief in the doctrine as necessary for salvation. He charged that it was a late invention which was "repugnant to the nature of God, but particularly to those attributes of His nature by which He performs and manages all things,—His wisdom, justice, and goodness."⁵ It made God the author of all sin, destroyed all inclination towards piety, and impeded the search for a better life. Its ultimate effect was the paralysis of man's spiritual nature.

The Erastian policy of the State failed to restrain the aroused zeal of the orthodox party. During the autumn of 1608 several local synods required all ministers within their jurisdiction to subscribe to the full doctrinal formularies of the Church, and numerous liberals who declined were suspended from the ministry. The Government demanded copies of the subscriptions, and after private efforts to effect a restoration had failed, ordered the suspended ministers to be reinstated.⁶ The synods were recalcitrant, however, and by the summer of 1609 a tense situation had developed. The leaders of the two factions were for a second time summoned before the States in August 1609, but the fatal illness of Arminius prevented the conclusion of the deliberations.

In a masterly speech preceding the adjournment, Uyttenbogaert defended the position of the liberal party in carefully

¹ Grotius to Nicolaus Reigersbergerus, Grotius, *Epistolae* (Amsterdam, 1687), 4 (ep. 11).

² Brandt, *History of the Reformation*, II, 49.

³ Arminius, *Works*, I, 522.

⁴ *Ibid.*, I, 553.

⁵ *Ibid.*, I, 559; and *vide* I, 561.

⁶ Brandt, *History of the Reformation*, II, 52.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

chosen language. He held that the early reformers had deliberately overstated the disputed doctrine of predestination in order to destroy the papal teaching respecting the necessity of good works, and that men could, in fact, gain salvation by their own faith and efforts.¹ The doctrine of predestination has acquired a false sanctity and has long been suspect by good Protestants everywhere. It got embedded in Calvinistic doctrine in the early days of the Reformation and has been elevated into a popish idol.² The Belgic Confession, at least, was at first nothing more than an apology issued in a time of persecution. But it has gradually been transformed into a rule of faith which has been imposed upon men in an outrageously tyrannous manner. The Church has sought to achieve unity of faith by force while neglecting the means of attaining true spiritual unity. We should not press forward with too much zeal, for "the church of God is the school of truth, and the knowledge of it is gradually taught by Him, who imparts that spirit which leads into all truth." We may press men only with spiritual weapons, for "in obscure and disputable matters, moderation and mutual forbearance, must be enjoyned, and a bridle put into the mouths of hot-headed . . . persons."³ Uyttenbogaert urged the Government to restrain clerical zeal and intolerance by obliging the various parties to live in tolerance and charity. Unity in religion should be achieved through Christian agreement on the essentials of faith, which, it will be discovered, are very few in number. The State should maintain an objective position and should not be "prepossessed against those who are sometimes reproached with the names of hereticks and innovators . . . the weakest are generally thus treated and oppressed by the strongest, who make use of the ancient advantage of error, that is, their excelling in power and numbers."⁴

4. THE FAILURE OF THE ERASTIAN POLICY OF THE GOVERNMENT; THE VORSTIAN CONTROVERSY, 1609-1612

The death of Arminius in 1609 removed a moderating and restraining influence on the controversy, which was rapidly

¹ Brandt, *History of the Reformation*, II, 56.

² *Ibid.*, II, 57.

³ *Ibid.*, II, 59.

⁴ *Ibid.*, II, 60.

THE LAYMEN AND THE MODERATES

leading to a schism in the Dutch Church. With his death the leadership of the liberal group passed to Uyttenbogaert and Simon Episcopius. Episcopius was one of the most lovable men of the period. He was endowed with an even temper, a beautiful Latin style, and a breadth of scholarship unmatched in the Netherlands.

Shortly after the death of Arminius a bitter pamphlet warfare broke out between the two religious factions, and the controversy rapidly degenerated into libel and scurrility. Uyttenbogaert was so disturbed by the rising violence in the Church that he recommended that each province be given complete control over worship, preaching, administration of the sacraments, and the general care of religion. He held that the State could be protected against violence and tolerance could be preserved only by this type of Erastian federalism.¹ So completely were the views of the liberal party misrepresented by their opponents that the former felt it necessary in January 1610 to issue a formal statement of doctrine and policy. Forty-six of the more prominent of the liberal clergy met at Gouda and on January 14th issued their famous *Remonstrance to the States*, which was largely the work of Uyttenbogaert and Episcopius.

The Remonstrants declared that they desired no innovations in religion, but since the synod which the States had promised for the consideration of the doctrinal formularies of the Church had not been convened it seemed advisable to clarify their position. They expressed profound disapproval of the orthodox teaching on predestination, the statement that Christ had died for the elect alone, the belief in irresistible grace, and the notion that the saints could not fall from grace.² Moreover, they announced their own doctrinal position in a statement including

¹ Brandt, *History of the Reformation*, II, 69. Uyttenbogaert, when pastor at Utrecht, gave ample evidence of the breadth of his tolerance. He laboured incessantly to quiet controversies amongst the ministers of the city and sought to secure unity on the basis of the fundamentals of faith. As a result of his efforts Utrecht remained undisturbed by the fanatical controversies of the period until the Synod of Dort expelled the Remonstrant clergy. (*Ibid.*, II, 100.)

² Baudartius, Wilhelmus, *Memoryen ofte Cort verheal der gedenckweerdichste so Kerckliche als Werlicke gheschiedenissen van Nederland* (Arnhem, 1624-1625), I, 26.

five points, two of which were concerned with their interpretation of the doctrine of predestination.¹ They concluded their Remonstrance by requesting the States either to compose the points in dispute at a free national synod or to allow them liberty of belief and worship.² The doctrinal position assumed in the Remonstrance was restrained indeed when compared with the teachings of the Anabaptists and other sectarian groups in Holland. But owing to the eminence of the leaders of the party and the unmistakable tolerance of their position, this formal statement of belief excited amazing opposition and bigotry.

The States attempted to protect the Remonstrants and to damp down the frenzied protests of the orthodox clergy, but with no success whatever.³ Several of the Classes took drastic action against remonstrant minorities, and throughout the country sharp lines of division were appearing.⁴ Oldenbarneveldt almost despaired of reaching a settlement and suggested that the only solution which would preserve the State might be found in provincial control of religion.⁵

The tolerant and mildly Erastian policy of the State was put to the severest test in a fierce controversy which shook the Netherlands, and England as well, shortly after the publication of the Remonstrance. The centre of the controversy, for the moment, at least, was Vorstius (Konard von der Vorst), who had been selected by the curators of the University of Leyden to fill Arminius's chair. Vorstius was a man of international distinction, and Uyttenbogaert, who had recommended him to the curators, regarded him as a reasonably orthodox Calvinist.

¹ They announced concerning predestination:

(i) "That God, by an eternal and unchangeable decree in Christ before the world was, determined to elect from the fallen and sinning human race to everlasting life those who through His grace believe in Jesus Christ and persevere in faith and obedience; and, on the contrary, had resolved to reject the unconverted and unbelievers to everlasting damnation."

(ii) "That, in consequence of this, Christ the Saviour of the world died for all and every man, so that He obtained, by the death on the cross, reconciliation and pardon for sin for all men; in such manner, however, that none but the faithful actually enjoyed the same." (Harrison, *Beginnings of Arminianism*, 150-151.)

² Brandt, *History of the Reformation*, II, 76.

³ *Ibid.*, II, 77-107; Harrison, *Beginnings of Arminianism*, 152.

⁴ Brandt, *History of the Reformation*, II, 77 ff.; Harrison, *Beginnings of Arminianism*, 163.

⁵ Baudartius, *Memoryen*, I, 94.

THE LAYMEN AND THE MODERATES

It was known, too, that he disliked all controversy and that he was not committed to either party. It would seem that Vorstius was the unfortunate victim of the circumstances of the moment. Some symbol was needed around which the fires of bigotry could focus, and whoever was selected to fill the chair of Arminius was likely to gain that uncomfortable distinction.

The orthodox clergy at once pounced upon Vorstius's books and almost immediately charges of Erastianism and Socinianism were levelled against him, to be expanded later into accusations of every variety of heresy. The State was now disgusted with the interminable feud and decided to stand firm and demonstrate that the Government was not under clerical control. Maurice viewed the niceties of the discussion about predestination with complete bewilderment and confessed that "he knew nothing of predestination, whether it was green, or whether it was blue."¹ On October 19, 1610, Vorstius's appointment was confirmed and immediately the wildest abuse poured forth from the pulpit and press, both against the professor and against the magistrates.² At the same time, the Church of England and the other Reformed Churches were petitioned to bring all their influence to bear in order to prevent the elevation of an heretic to the chair at Leyden.

The States were finding it extremely difficult to maintain a balance between the two parties, and such balance as did exist was rudely shattered by the precipitous intervention of James I in the controversy. As Lingard has so ably said, James was "determined to spread theegis of his infallibility over the cause of orthodoxy in Holland."³ It seems probable that James's attention was called to Vorstius's *Tractatus Theologicus de Deo* and his *Exegesis Apologetica* by Archbishop Abbot.⁴ Upon reading these works James was moved to pious rage. The King declared that Vorstius taught that God was man and that he

¹ Motley, *John of Barneveld*, I, 45.

² Brandt, *History of the Reformation*, II, 87 ff.

³ Lingard, *History of England*, VII, 154.

⁴ Winwood wrote that the knowledge of Vorstius's book came "to the notice of our lord of Canterbury, out of the care he hath to preserve religion in its antient purity and integrity, he hath so far prevayled with his majesty, that from him I have had charge publickly to protest agaynst the reception of thys Vorstius." (*Memorials*, III, 296.)

had debased His purity by "assigning Him a material body, confining His immensity, as not being every where, shaking His immutability. . . ."¹ Ranke suggests that to his abhorrence of Vorstius's liberalism James added his dislike of the burgher aristocracy in Holland, which was hostile to England and which provided the principal support for the Remonstrant party.² James wrote to the States in most indignant terms of protest against the appointment. He was willing, "if the professor would excuse his blasphemies, [that] he should escape the stake, though no heretic ever deserved it better; but he could not believe that, on any defence or denial which he might make, they would allow him to retain his office."³ He reminded the Dutch that he was the Defender of the Faith and that he would be remiss in his duty if he did not protest against the growth of such pestilent heresies in Holland.⁴

Winwood, the English ambassador at The Hague, was instructed to make the strongest representations to the States, and Oldenbarneveldt was put into an extremely difficult position. The English ambassador delivered a long sermon against Vorstius and handed the Government a list of the blasphemies which James had ferreted out of Vorstius's writings.⁵ Oldenbarneveldt could ill afford to permit this triumph of orthodoxy, but he could not alienate the friendship of England. Vorstius endeavoured to answer the charges which had been made against him in his *Oratio apologetica*, delivered before the States on March 22, 1612. He denied categorically the charge of Socinianism,⁶ though he admitted that he had indulged in speculations concerning the Godhead and the doctrine of the atonement. But the combined pressure of the orthodox party and of England was too strong to be resisted. A compromise was reached whereby Vorstius was to retain his chair and

¹ Fuller, *Church History*, V, 413.

² Ranke, *History of England*, I, 426. Heylyn gave much the same political explanation. He suggested that even at this early date James regarded Oldenbarneveldt as the enemy of Maurice, and feared that his support of the Remonstrants might endanger the Prince of Orange.

³ Lingard, *History of England*, VII, 155.

⁴ A short time later Vorstius's books were ordered burned at Paul's Cross and at the universities. (Brook, *Religious Liberty*, I, 394.)

⁵ Winwood, *Memorials*, III, 294-304, 309 ff.

⁶ Vorstius, *Oratio apologetica habita in pleno concessu*, 21, 32, 41.

emoluments, but was to live at Gouda, where he should prepare a reply to the accusations which had been brought against him.¹

With Vorstius removed from the scene and with the retirement of Gomarus there were two chairs of theology to be filled at Leyden. The Government endeavoured to maintain its Erastian position by the appointment of a staunch Calvinist of no particular distinction to one professorship and Episcopius to the other. It was the design of the curators, wrote Brandt, "to secure the liberty of prophesying, or expounding the Holy Scriptures . . . and . . . to bring over the young students, by their example, and by the practice of mutual toleration in the schools, to the promoting of peace in the Church, . . ."² Episcopius was young, the liberality of his views was not fully appreciated, and the Calvinists, who were for the time being exhausted by the pursuit of Vorstius, accepted the appointment with very little opposition. They had, in fact, exchanged a timid and retiring scholar for a formidable controversialist and one of the most distinguished proponents of toleration of the century.

The controversy had become so deep-seated by this time that there was no longer any possibility of restraining it. There is perhaps no instance in history of a country more completely engulfed in bitter doctrinal dissension. In Motley's brilliant period, "In burghers' mansions, peasants' cottages, mechanics' back-parlours, on board herring smacks, canal boats, and East Indiamen; in shops, counting-rooms, farmyards, guard-rooms, ale-houses; on the exchange, in the tennis-court on the mall; at banquets, at burials, christenings, or bridals; wherever and whenever human creatures met each other, there was ever to be found the fierce wrangle of Remonstrant and Contra-Remonstrant, the hissing of red-hot theological rhetoric, the pelting of hostile texts. The blacksmith's iron cooled on the anvil, the tinker dropped a kettle half mended, the broker left a bargain unclinched, the Scheveningen fisherman in his wooden shoes forgot the cracks in his pinkie, while each paused to hold high converse with friend or foe on faith, free will, or absolute fore-

¹ Brandt, *History of the Reformation*, II, 98.

² *Ibid.*, II, 111-112.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

knowledge; losing himself in wandering mazes whence there was no issue."¹

We are not concerned with the heroic effort of Oldenbarneveldt and the States to check the rising tide of bigotry or with the interminable and ever angrier disputes which led finally to the convention of the Synod of Dort. It will be necessary, however, to consider in some detail the thought of the Remonstrant leaders and to comment upon the profoundly important contributions which they made to tolerance and liberalism throughout Protestant Europe, even after the Synod had expelled them from the Church and from Holland.

5. THE DEVELOPMENT OF THE ARMINIAN POSITION, 1612-1634

a. *Episcopius*

The greatest of this notable group was Episcopius. His writings are characterized by a profound love of peace and a nobility of tolerance unusual in the seventeenth century. He maintained quietly but firmly the right of every individual to form his own religious opinions, and displayed throughout his works a remarkable willingness to tolerate what he regarded as error in the thought of other men.² His tolerance appears to have been rooted in the conviction that the doctrines necessary for salvation were clearly revealed in the Bible, that they were few and simple, and that they were generally entertained by Christians of all communions. He repeatedly stressed the conviction that any doctrine which is in controversy is probably obscure and not of fundamental importance, and that it could therefore be relegated to the arena of free discussion.³ In this view he followed Acontius,⁴ to whose thought he acknowledged the greatest debt, and the humanistic school of which Acontius was so distinguished a member.

This position, which was to influence English lay thought so profoundly, was given classic expression by Episcopius at the Synod of Dort, when he spoke for the first time in defence

¹ Motley, *John of Barneveldt*, I, 338-339.

² Calder, F., *Memoirs of Simon Episcopius* (1838), 499.

³ *Ibid.*, 499-500.

⁴ Jordan, *Religious Toleration*, I, 334 ff.

of the Remonstrance.¹ Religion, he argued, is the care of all truly Christian commonwealths. But this care does not extend to the determination of rigid definitions of doctrine and error. The human mind is fallible; and therefore to persecute dissent is really to condemn human nature.² The Remonstrants sought nothing more than the cleansing of certain blemishes from the Reformed Church, and they were criticized and abused for their efforts. They persistently requested either a fair and impartial synod for the settlement of the points in dispute or the establishment of a mutual toleration which would accommodate differences.³ These reasonable requests have been refused, yet no one can charge that the Remonstrants do not adhere to the fundamentals of religion. "Whatever the catholic or universal church has confessed and approved, remains entire and unshaken with us."⁴

The Remonstrants, he added, are convinced that there are mysteries and obscurities in religion which can never be resolved, and that dispute and persecution in these matters can accomplish nothing more than the destruction of Christian unity. These obscure matters have nothing to do with salvation, and God has perhaps provided them for the universities as a harmless exercise in the splitting of hairs. It seems wholly unreasonable "to insist upon maintaining an agreement on all points and niceties of doctrine . . . and we hold the view that the liberty of diversity of judgements and understandings will not bear such fetters and shackles, . . ."⁵ Christians should be content so long as the fundamentals of faith are maintained. The goal of an exact uniformity is quite impossible of attainment and perhaps undesirable, and any effort to secure it by harshness and rigour can find no support in Christianity.

After the Synod had condemned and banished the Remonstrant group, Episcopius developed this position somewhat further. He declared in a letter to Grotius that the Remonstrants had found the best formula for quieting the dissensions amongst Christians in their insistence upon a distinction

¹ On December 6, 1618.

² Episcopius, *Opera Theologica* (Amsterdam-Gouda, 1650-1665), II, ii, 1.

³ *Ibid.*, II, ii, 2.

⁴ *Ibid.*, II, ii, 3.

⁵ *Idem.*

between the fundamentals and the unessentials of faith and in their willingness to tolerate other communions. "I so love Christian peace and unity, that I would rather conceal my views on any unimportant truth,¹ than to seek to obtain a species of vain glory from an exhibition of them, . . ." True Christianity, he continued, can never be attained "until an accurate discrimination be made between necessary and unnecessary truths. To contend earnestly for an unnecessary truth, as though it were an important point of doctrine, is a line of conduct I shall never adopt. . . . I believe . . . that to draw a line of distinction between essential and unessential truths, and promote unity and peace among Christians, should be the end and object of all our labours and writings, and that to which every thing else ought to be subservient."²

Episcopius maintained that all creeds, and in a sense even the Bible, are given to us for direction and not to bind our minds and wills. The Bible is divinely inspired but it can aid man only if he is permitted complete liberty in his approach to it. Neither the State nor the Church has any power to coerce the mind and conscience of man. Every man is held responsible for the finding of his own faith, and any restraint upon that freedom is a hideous persecution. The Church can do no more in directing Christians than to set forth the essential doctrines which are clearly described in the Bible and held by all Christian communions. In the quest for truth, all men must be left with complete freedom.³

This tolerant position was derived both from the doctrine of free will and from the Remonstrant emphasis upon the right of private judgment.⁴ It denied completely the orthodox view that the Church is capable of ascertaining and defining absolute religious truth and that, by implication, it may require con-

¹ It is important to bear in mind that Episcopius regarded most of the disputes which embroiled Christendom as concerned with "unessentials."

² Text in Calder, *Memoirs of Episcopius*, 501.

³ "Necessaria quae scripturis continentur, talia esse omnia, ut sine manifesta hominis culpa ignorari, negari, aut in dubium vocari nequeant: quia videlicet tum subjectum, tum praedicatum, tum praedicati cum subjecto connexio necessaria in ipsis scripturis est, aut expresse aut aequipollenter." (Episcopius, *Instit. Theol.*, *Opera Theol.*, I, 244.)

⁴ Cf. the views of the sectarian and lay thinkers in England; *vide ante*, 216 ff., and *post*, 349 ff.

THE LAYMEN AND THE MODERATES

formity to its teachings.¹ The Arminian view destroyed the basis for persecution by entrenching itself in the principle of the sanctity of private judgment. Episcopius attacked the very foundations of Protestant intolerance by denying that the Church was competent to raise up an infallible truth encased in a systematic creed.

The fate of the Remonstrants was predetermined when the constitution and composition of the Synod of Dort was announced, for Maurice had been convinced that the requirements of political unity demanded the reduction of the liberal religious party with its federalist and aristocratic allies. The Synod expressly condemned both the persons and the teachings of the Remonstrants, declared them deprived of their posts, pronounced them unfit for academic preferment, and called upon the provincial synods to weed out all the Arminians.² On June 19, 1619, the States confirmed this condemnation, and ordered the Remonstrants to appear at the capital for judgment.³ In July they were required to retire from the ministry and to reside quietly in designated places or to leave the country. The local synods undertook this work heartily, and all ministers and teachers were required to subscribe to the doctrinal determinations of the Synod. Petitions poured in from the Remonstrant congregations pleading for toleration and pointing out the loss in political strength and economic security which a policy of persecution would produce,⁴ but the Government remained

¹ Tulloch, *Rational Theology*, I, 33. This position was further emphasized in the *Apology* which the Remonstrants presented to the Synod. See Brandt's comments, *History of the Reformation*, III, 242-247.

² Brandt, *History of the Reformation*, III, 301-303. ³ *Ibid.*, III, 341-343.

⁴ The petition of the Arminian congregation at Leyden is typical. The petitioners complained that the Synod had "canonized the rigid and scandalous doctrine of predestination." They prayed for liberty to worship as their conscience required and reminded the Government of the heroic defence of Leyden against the Spanish. They maintained that "your Lordships ought to allow them no less liberty than has been granted to other Christian sects in these provinces, yea even to the Jews themselves, . . . Besides, 'tis most certain, and none can be ignorant of it, that liberty of conscience, or the toleration of several Christian sects, has caused not only these provinces, and in particular the town of Leyden, to increase and flourish in riches and number of inhabitants, but also that it produces the same effect in several other countries; and that those which are governed by different methods, lose their people, their trade, and their wealth." (Brandt, *History of the Reformation*, III, 385-386.)

obdurate. Within a year about two hundred ministers were deprived, of whom eighty fled and seventy retired. At the same time, Maurice determined to suppress all public Arminian meetings. In late July 1619 the States forbade all meetings which tended to promote Arminian teachings, and prohibited the conduct of religious services in a form contrary to that prescribed by the Established Church.¹

The exiled Arminian leaders felt that agreement upon some form of compact was necessary to prevent the complete disruption of their religious programme. Accordingly a meeting was held at Antwerp, September 30–October 4, 1619, for this purpose. The leaders were disinclined to frame a formal confession which might in time become an instrument of intolerance, and were anxious that a clear differentiation might be drawn, along the lines recently suggested by Episcopius, between essential and non-essential doctrines. Episcopius, Uyttenbogaert, Niellius, and Grevinchovius were appointed to draft the confession of faith, and from their deliberations the notable *Confessio, sive Declaratio Sententiae Pastorum, qui in foederato Belgio Remonstrantes vocantur, super Praecipuis articulis Religionis Christianae* ultimately resulted.² Episcopius wrote the final draft of the Confession, which the other members accepted without revision.³

The *Preface* of the Confession carefully explained that the authors had no intention to impose a new doctrinal formulary upon men's consciences. Confessions should be guides to faith and conduct and should enjoy no binding or compelling sanction. The clash of rival systems of rigid doctrine has impaired Christian unity and has inspired faction and schism. Indeed, confessions, "though generally composed with the present intention and without any design of being made the occasion of persecution on the part of the composers, have, nevertheless,

¹ It was ordered "that none of the inhabitants of these provinces shall presume to be present at the said unlawful meetings, either by day or by night, in any churches, houses, barns, ware-houses, or in fields, ships, barges, boats, or any other places whatsoever." (Brandt, *History of the Reformation*, III, 399 ff.) Brandt gives abundant evidence that the Government's decree was never rigorously enforced. Arminian meetings were continued in many places during the period when a formal proscription of the liberals was in effect. ² Episcopius, *Opera Theologica*, II, ii, 69–94.

³ Calder, *Memoirs of Episcopius*, 400–401.

in most instances, after a short lapse of time, been made instrumental to such a result.”¹ All judgments and opinions pertaining to religion have been referred to and judged by these formulaires, so that men, ignoring the Bible, have “appealed to them as unexceptionable rules; and he that swerved but a finger’s breadth from them, although moved thereto by a Scriptural reference itself, was, without any further proof, accused and condemned for heresy.”² The authors therefore resolved to publish a confession which could not in time become an instrument of intolerance. They presented it simply as a declaration of their own opinions and without any intention of establishing still another system of absolute truth.³

This fine conviction that authority in religious matters must be seated in the individual conscience and this implacable opposition to all forms of persecution and doctrinal rigidity are everywhere reflected in Episcopius’s writings. Every man enjoys the positive right to determine his own religious beliefs and to translate such beliefs into worship. Heresy does exist, and if any individual professes a doctrine clearly contrary to the fundamentals of faith the Church may disown the doctrine and exclude the man from the Church. But this is the limit of its disciplinary power. Christ is the sole Lawgiver to His Church and the sole judge of conscience, and men who presume to condemn the opinions of another persecute and blaspheme God.⁴

¹ Episcopius, *Opera Theologica*, II, ii, 69, and *vide* II, ii, 71.

² *Ibid.*, II, ii, 69.

³ We are not concerned with the doctrinal position assumed by Episcopius in the Confession. His insistence that no infallible system of dogma could or should be devised is of far greater consequence to the development of toleration. It should be pointed out, however, that in the first draft of the Confession he embraced the doctrine of free will with considerable caution. He asserted that sufficient grace would be bestowed upon all men who were called by the Gospel. (Episcopius, *Opera Theol.*, II, ii, 64.) Later, he abandoned the Calvinistic position entirely, “Corruptionis istius universalis nulla sunt indicia nec signa; inno non pauca sunt signa ex quibus Colligitur naturam totam humanam sic corruptam non esse.” (Episcopius, *Instit. Theol.*, *Opera Theol.*, iv, 5, ii.)

⁴ Episcopius wrote, “To Jesus Christ alone belongs as supreme teacher and lawgiver in His Church, the power to institute penalties and to exercise the power of adjudging men to eternal life or eternal death. . . . He who takes it upon himself to impose upon others more than the Divine Saviour has stated in His Holy Word as necessary to salvation, arrogantly assumes His authority, and presumptuously mounts the Judgement Seat.”

Episcopius may be regarded, in one sense, as having brought to fruition a humanistic tradition which had its roots in Catholicism, but which flourished in Protestantism. This stream of thought was repelled by the rigid and harsh literalism of the great reformers and was increasingly disposed to champion the doctrine of religious toleration in order to create a medium in which intellectual life might flourish and the sanctity of the individual conscience might be respected. We shall notice that the same forces were operating in England and that these spiritual movements were pressed to a definition of their position by the rising anger of an endangered religious orthodoxy. Episcopius had done great service to moderate men by his direct attack upon Protestant pretensions to infallibility and by his denunciation of rigidly defined ecclesiastical systems. He regarded the death penalty for heresy as a barbarism so unspeakable that it could exist neither in a cultivated nor in a religious society.¹ In his career and in his writings we see fully displayed the quiet but impregnable strength of moderation.

b. Grotius, 1583-1645

The Arminian position received notable development at the hands of Grotius, a man of European reputation and of rare objectivity in his religious thought. Grotius was persuaded to enter politics by Oldenbarneveldt in 1613 and at once became involved in the religious struggle which was even then tense. Oldenbarneveldt despatched him to England during the spring of 1613 in an effort to repair the damage which had been done to the relations of the two countries by the Vorstius incident and to explain to the Defender of the Faith the position of the Remonstrant group. While in England he established a close contact with Overall, Andrewes, Casaubon, and other distinguished liberal ecclesiastics. Casaubon was especially impressed with the broad and humanistic tolerance of the young Dutchman and later acknowledged his great debt to him.² Both men

¹ See his caustic denunciation of the execution of Servetus by Calvin: "Calvinus signum primus extulit supra alios omnes, et exemplum dedit in theatro Gebennensi funestissimum, quodque Christianus orbis merito execratur, et abominatur; nec hoc contentus, tum atroci facinori, cruento simul animo et calamo parentavit." (Episcopius, *Opera Theologica*, II, ii, 241.)

² Casaubon, Isaac, *Epistolae* (1709 ed.), 529, 531.

were renowned scholars devoted to the ideal of a Christendom reunited on the basis of the fundamentals of faith and the toleration of controversial differences. Grotius was thoroughly conversant both with the English religious situation and with the King's own prejudices, and cleverly insinuated that the Remonstrants really followed the moderate tradition of Anglicanism while the Contra-Remonstrants resembled, both in doctrine and in temper, the rabid Puritan party. He was able to point to the fact that the Puritan leaders had been particularly vociferous in their attacks on Arminianism. But Grotius was not to be successful in his efforts. James was wholly Calvinistic in his doctrinal views, and Abbot, who seems to have detested Grotius, warned James repeatedly against him.

Upon his return to Holland, Grotius plunged into the controversy with his *Pietas Ordinum Hollandiae*. This work defended the States against the orthodox charge that the policy of moderation and toleration amounted to nothing less than the toleration of heresy and gross impiety. Grotius held that there were many examples in history of the toleration, with good effect, of just such differences as existed in Holland, and that the temperate policy of the Government was best designed to heal the divisions and feuds which vexed Christendom. The clergy will, if unchecked, seek a tyrannous rule over men's consciences, and their bigotry will eventually cause them to intrude into temporal affairs as well. Just this species of clerical intolerance was responsible for the loss of Flanders to the United Provinces, and, if the clergy are not restrained, the States will be broken.¹

In 1614 Grotius persuaded Oldenbarneveldt to attempt to check the rising rage of theological controversy by an edict prohibiting the further discussion of inflammatory topics in the pulpits of the United Provinces. But this Erastian effort came too late, and served only to excite the wrath of the orthodox party and to increase the suspicions of Maurice. After Maurice's *coup d'état* in 1618, which led to the execution of Oldenbarneveldt, Grotius was imprisoned for life but succeeded in escaping in 1621. He removed to France, and there during the next

¹ His Erastianism is even more pronounced in his *De Jure Regni apud Sacra*.

ten years he was occupied with the writing of his *De Jure Belli ac Pacis*.

In this work Grotius developed most clearly his thought on the relation of the State to religious dissent, and amplified his view that toleration was necessary if the destructive forces of clerical bigotry and intolerance were to be curbed. The impact of the recent struggle with orthodoxy in Holland upon his sensitive and tolerant spirit is abundantly demonstrated. He regarded any Church system, whether dominated by the State or dominating it, as inimical to both religious and civil life. He proposed a policy of toleration which based itself frankly upon rationalistic and Erastian grounds.¹

Religion, Grotius wrote, is evidently a highly individualistic matter, resting upon the relationship of the soul of man with God.² Still, when we survey religious thought and its ecclesiastical expression, it seems clear that religion may be reduced to four universally accepted fundamentals of belief. These fundamentals of faith are the belief in the being and unity of God; that God is a spiritual Being; that He observes and orders the events of this world; and that He is the Creator of all things.³ These convictions appear to be innate in all men and form the common basis of faith. In his effort to reduce Christianity to its fundamental teachings, Grotius followed the normal disposition of the Remonstrants and laid the firm basis for a theory of toleration.

“From the kind of evidence on which Christianity rests, it is plain that no force should be used with nations to promote its acceptance.”⁴ We gain knowledge of truth not only by instruction in it but by the aid of a merciful God who reveals His will and truth further as need may require. Religion may be instilled only by reason and persuasion, and Christ has expressly commanded that no compulsion may be employed in the dissemination of His Gospel. Nor can any negative virtue be claimed for force. Coercion may not be employed in order to compel men to forsake opinions which are supposed to be erroneous.

¹ Troeltsch, *Social Teaching of the Christian Churches*, II, 635–636.

² Grotius, *De Jure Belli ac Pacis* (tr. as *The Rights of War and Peace*, by A. C. Campbell, 1901), 249.

³ *Ibid.*, 250.

⁴ *Ibid.*, 253.

THE LAYMEN AND THE MODERATES

Such an action would presume a court competent to deliver infallible opinions regarding religious truth, and no such competency is granted to us. "If there should be any weighty error, that discerning judges could easily refute by an appeal to sacred authority, or to the opinions of antiquity; here too it would be necessary to make allowances for ingrafted opinions, that have grown up to form an inseparable part of the human mind, and for the zealous attachment of every one to his own tenets; an evil which Galen says is more difficult to be eradicated than any constitutional disease."¹

Grotius emphasized strongly the spiritual character of religion and denounced the tendency of Church systems to utilize the sword in order to secure or maintain dominance.² He held this practice to be destructive to the State and ruinous to the spiritual nature of religion. It has tended to create inflexible Church structures which have provoked the nations to war and prevented the reunion of Christianity on the basis of the common acceptance of fundamental truth by all Christian men. The weight of Grotius's teachings was destructive, not emendatory, to Calvinism. It aimed at a rational and voluntary conception of religion which completely dissolved the framework of orthodoxy.

Grotius's faith had its roots deeply embedded in reason and from the objectivity enforced by exile he came to regard the tendency of Protestantism to found rigid doctrinal systems enforced by the power of the State not only as irrational but as dangerous. He was a lover of peace and above all else desired to end the controversies which beset Christendom. When, however, the scheme of John Dury for the union of the Calvinistic communions was broached,³ Grotius recoiled in horror. The plan appeared to him to encourage a tyrannous union of Calvinistic orthodoxy which would crush out the liberal tendencies only now beginning to develop in Protestantism, and he feared that it would lead to the marshalling of Protestantism and Catholicism into two armed camps. Such a prospect the moderate could view only with dismay.⁴ Grotius was steeped

¹ Grotius, *Rights of War and Peace*, 255.

² *Ibid.*, 272.

⁴ "Nisi enim interpretandi sacras literas libertatem cohibemus intra lineas eorum, quae omnes illae non sanctitate minus quam primaeva vetustate

³ *Vide post*, 364-370.

rather in the humanistic tradition. His view was much larger, and he hoped for nothing less than the reunion of all of Western Christendom through agreement on the essentials of faith and a broad tolerance of dissent. He was prepared to make important concessions to Catholicism in order to gain his end, which, as he thought, would lift Europe from the brawling bigotry of embattled orthodoxies to a saner and more civilized religious life.¹

The powerful influence and the nobility of Grotius's views served to keep intact the Arminian tradition during the period of exile. But the alliance of the Government with the orthodox party in the United Provinces did not long survive the death of Maurice in 1625. In 1630 the exiled ministers were permitted to return to Holland, and those who had been silenced were allowed to resume preaching. The Remonstrants adopted a simple synodical constitution, and were distinguished rather more by the growing liberality and rationalism of their theology than by the evangelical strength of their ecclesiastical policy. The group remained small and aristocratic in character, and, like the Unitarians, exercised an international influence quite out of proportion to its numerical strength. In 1634 the Remonstrants were given permission to found a seminary in Amsterdam,² and there during the next generation such intellectual

venerabiles Ecclesiae ex ipsa praedicatione Scripturis ubique consentiente hauserant, diuque sub crucis maxime magisterio retinuerant: nisi deinde in iis quae liberam habuere disputationem fraterna lenitate ferre alii alios discimus, quis erit litium, saepe in factiones, deinde in bella erumpentium finis?" (Grotius to *Calixtus*, October 1636, *Epistolae*, ep. 674, 274-275.), "Qui illam optimam antiquitatem sequuntur ducem, quod te semper fecisse memini, iis non eveniet, ut multum sibi ipsis sint discolores. In Anglia vides quam bene processerit dogmatum noxiorum repurgatio, hac maxime de causa, quod qui id sanctissimum negotium procurandum suscepere, nihil admiscerunt novi, nihil sui, sed ad meliora secula intentam habuere oculorum aciem." (Grotius to *J. Corvinus*, May 1638, *Epistolae*, ep. 966, 434.)

¹ *Vide Grotius, Opera omnia Theologica* (Amsterdam, 1679), IV, 619, 642, 645; *Epistolae*, 578 (December 15, 1641), epp. 607, 608 (July 1642). Hallam (*Introduction to the Literature of Europe* (Boston, 1864), II, 399-400) has somewhat distorted Grotius's position in this particular. He takes the view that Grotius, disheartened by the intolerance of Protestantism, had practically embraced Catholicism. This was far from the case. Grotius was almost obsessed in later life with his dream of reunion, and his efforts to find a common ground with Rome are to be related rather to this disposition than to any change of personal faith.

² Ruffini, *Religious Liberty*, 97.

giants as Curcellaeus, Limborch, and Le Clerc maintained the influence which the earlier leaders had exercised in all Protestant countries. The heroic resistance of the Remonstrants to coercion and their success in weakening doctrinal rigidity in the United Provinces had done its work effectively. After 1630 Holland was justly regarded by all persecuted minorities as affording the most perfect example of religious liberty, and we shall notice that after 1640 that country was to exercise a very strong influence upon English religious thought and policy. Owing to the liberality of the Remonstrant Church even the Socinians were given a tolerable liberty in Holland after 1630.¹ In one country, at least, the tenacious teachings of the moderates had found effective justification.²

C. THE LATITUDINARIANS AND THE MODERATES

I. GENERAL CHARACTER OF MODERATE THOUGHT

The Arminian controversy had been followed with breathless interest in England, and the liberal and semi-rationalistic position which the great Dutch Remonstrants had assumed deeply influenced a group in England called into existence under somewhat dissimilar circumstances. This group, which has come to be called the Latitudinarians, centred at Great Tew, the home of Lord Falkland, who was its spiritual leader.³ In a broader sense, however, it included a larger circle of thinkers, who were bound by common sentiments but who were not associated as intimately as was the Great Tew group.

Latitudinarianism developed in the large middle ground which lay between the rising dogmatic and disciplinary harshness of both Puritanism and Anglo-Catholicism.⁴ It attracted moderate men who despaired of the intolerance of extreme Anglicanism and who were dismayed by the increasing fanati-

¹ *Vide Bayle, Dictionary, art. Socinus, nn. k and l.*

² We shall trace the contribution of the Arminians to the literature of toleration and the remarkable influence of their teachings in France and England after 1640 in the concluding volume of this work.

³ Freund, *Die Idee der Toleranz*, 24-25.

⁴ Tulloch, *Rational Theology*, I, 60-71; Kaufmann, M., *Latitudinarianism and Pietism, Cambridge Modern History*, V, 745; Freund, *Die Idee der Toleranz*, 24.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

cism of Puritanism. These men desired to settle the theological wrangling of the period by an appeal to reason and moderation.¹ Men who were weary of the violent clash of two systems of 'absolute truth' adopted a religious philosophy "deeper than either, and brought into view a wider set of principles."² They met the claims of the extremists with the contention that dogmatic uniformity was both unattainable and undesirable, and held that the preservation of both religious and civil life depended upon the adoption of a broader and more tolerant religious philosophy. They emphasized the importance of morality as opposed to doctrinal orthodoxy, and announced as their creed a larger comprehension and a charitable view of religious differences.³ They would substitute for the exclusive Church system urged so relentlessly by the extremist groups a Church more simple in its organization and more comprehensive in its doctrines.⁴

The Latitudinarians sprang from the humanistic tradition, which in the previous century had contributed notably to the development of the theory of toleration, and in the English religious crisis they were to experience the same fate that had engulfed the English humanists during the Reformation.⁵ They were moderates and they refused passionate devotion to any cause. Their tolerance was rooted rather in the individualism of rationalism than in the anarchism of sectarianism. A gentle scepticism and occasionally a deep pessimism pervades their thought. Their position rapidly became untenable as the clash of the opposing dogmatic systems grew sharper and men were compelled either to embrace one cause or the other or to see their influence disappear. Moderation and liberalism cannot flourish in such periods of crisis when the very roots of reason are cut away by the sharp knife of fanaticism and passion. Thus the tragedy of sixteenth-century liberalism was to be re-enacted in the seventeenth.

The Latitudinarian group was distinguished by several addi-

¹ Kaufmann, *Latitudinarianism and Pietism*, C.M.H., V, 745.

² Tulloch, *Rational Theology*, I, 71.

³ Kaufmann, *Latitudinarianism and Pietism*, C.M.H., V, 745.

⁴ Tulloch, *Rational Theology*, I, 71; Tayler, J. J., *A Retrospect of the Religious Life of England* (1853 ed.), 197.

⁵ Jordan, *Religious Toleration*, I, 41-49, 303-315.

tional characteristics which set it off in sharp relief from the normal religious life of the period. The thought of all of these Moderates was marked by a fine calmness and poise, by a charitable and deliberate temper, and by a broad tolerance, even of Romanism, which persisted throughout the crisis of war. Though the group included several clergymen, there is in Latitudinarian thought a quality which may be most accurately described as "lay" in character. The Latitudinarians viewed the religious problem with an objectivity and absence of passion which differentiates them sharply from the adherents of any ecclesiastical system. Their position was marked by such breadth of view, such nobility of sentiment, and such devotion to reason that it remained essentially aristocratic—unable to exercise its proper influence at a moment when religious zeal and clerical intolerance were sweeping England into two armed camps.

2. THE EARLY MODERATES

Almost a generation before Chillingworth systematized the framework of moderate thought, a number of laymen in England had exhibited sentiments which, though incomplete and occasionally vague, were strikingly similar to the later Latitudinarian position.

Thomas Palmer,¹ writing in 1606, argued that it was generally conceded that religious faith could be moulded only by persuasion and that compulsion was wholly ineffective in matters of conscience. It follows, therefore, "that no man hath power of religiō, seeing that it proceedes from the minde and will, the libertie wherof resteth in the hands of God only, to dispose of: . . ."² The determination of the individual in religious matters is inviolable. The prudent State will respect the individual conscience and permit freedom of belief. If, however, the State determines to persecute dissent, those who suffer may emigrate in order to find liberty of conscience.

¹ Palmer (1540-1626) was born in Kent, of which county he was at one time high sheriff. Because of the pithy essay under consideration he was usually referred to as 'the travailer.' (D.N.B.) In religion he was a moderate Anglican of the Elizabethan school.

² Palmer, Thomas, *An essay of the meanes how to make our trauailes, into forraine countries, the more profitable and honourable* (L., 1606), 110.

William Vaughan, in his *The Golden-Groue*, took a somewhat different position. Two religions endanger the existence of the State and provoke "factions, garboiles, and civill warres, which never end but with the subversiō of the Commonwealth."¹ Unity in religion is eminently desirable as the foundation of civil order. This unity, however, can hardly be attained by persecution and force. Vaughan seems to hold that the power of truth and reason must be relied upon to bring men to a common faith. Truth will in time be self-evident, for it is armed with sufficient power to overthrow all error. Although it may for a time "be darkened by a cloude, yet at last it prevailes and gettes a victory; and the heretikes themselves are by Gods speciall iudgments confounded, and their contagious opinions in a moment abated."² This view, when more fully developed, denied completely the effectiveness and the morality of force in religion, and declared that every man must be left free to find religious truth for himself, assisted by the power of his reason and the self-evident nature of truth.

The important problems which the early Moderates had discussed were given a fuller and richer consideration by the poet Francis Quarles (1592-1644), whose thought would seem to link him closely with the later Latitudinarians. Quarles was educated at Cambridge, where he took his degree in 1608, and for some years thereafter read law at Lincoln's Inn. He was a member of the suite of the Princess Elizabeth at the time of her marriage to the Elector Frederick. Following his return from the Continent in 1618 he settled in Essex, but shortly afterwards went to Ireland as secretary to Archbishop Ussher.³ There is reason for believing that the striking moderation and tolerance which the poet displayed owed much to the influence of the great Irish primate. Quarles acknowledged this debt when he wrote:

"That little education I dare own
I had, I'm proud to say, from him alone,
His grave advice would often times distill
Into my ears, and captivate my will.
The example of his life did every day
Afford me lectures."

¹ Vaughan, *The Golden-Groue* (L., 1608), no pagin.

² *Ibid.*, no pagin.

³ *Cambridge History of English Literature*, VII (1920 ed.), 46.

THE LAYMEN AND THE MODERATES

Quarles's religious verse may be said to fall into two periods, the first from 1620 to 1625 and the second from 1631 to 1638. Pervading all his religious poetry there was a brooding pessimism and a thoughtful scepticism which his confidently expressed faith could not dispel. At times this pessimism became almost morbid when he reflected:

"Thus Man that's born of woman can remain
But a short time: his dayes are full of sorrow;
His life's a penance and his death's a pain,
Springs like a flowr to-day, and fades to-morrow;
His breath's a bubble, and his dayes a span:
'Tis glorious misery to be born a man."¹

The poet had sought to establish his faith on reason and he found it difficult to reconcile the immortality for which he hoped with the disintegration which he found in death:

"Why? what are men? But quicken'd lumps of earth?
A feast for wormes; A bubble full of mirth;
A Looking-glasse for grieve; A flash; A minute;
A painted Toombe, with putrifaction in it;
A mappe of Death; A burthen of a song;
A winter's Dust; a worme of five foot long:
Begot in sinne; In darkness nourisht; Borne
In sorrow; Naked; Shiftlesse, and forlorne:
His first voice (heard) is crying for relief;
Alas! he comes into a world of grieve:
His Age is sinfull; and his Youth is vaine;
His Life's a punishment; his death's a paine;
His Life's an houre of Ioy; a world of Sorrow;
His death's a winter's night, that findes no morrow:
Man's life's an Houre-glasse, which being run,
Concludes that houre of Ioy, and so is dun."²

Despite the depth of his pessimism, Quarles urged that man could and must find saving truth. The search for truth is difficult and man can find little assistance outside his own being. God has endowed him with reason and a free will,

"That to know good, this to chuse good from ill:
He puts the rains of pow'r in my free hand
And jurisdiction over sea and land."³

¹ Quarles, Francis, *Complete Works* (ed. A. B. Grosart), III, 197.

² *Ibid.*, II, 10; and *vide* II, 23, 203.

³ *Ibid.*, III, 71

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

The individual reason is omnicompetent in this search for God, and to coerce it or to intrude upon it is a grievous tyranny:

“Man in himselfe’s a little World, Alone,
His Soul’s the Court, or high Imperiall Throne,
Wherein as Empresse, sits the Understanding
Gently directing, yet with awe Commanding
Her Handmaid’s Will.”¹

We gain knowledge of God through understanding and mastering our own nature, and only by this introspective wisdom can we attain truth. “He that baulks this way, erres; He that travells by the Creatures, wanders. The motion of the Heavens shall give thy soule no Rest: . . . The height of all Phylosophy, both Naturall and Morall is to know thy selfe, and the end of this Knowledge is to know God.”² For faith is found not in the authority or direction of other men, but within our own mind:

“. . . looking down into my troubled breast,
The Magazine of wounds, I found him there.”³

In the search for truth man may fall into doubt and error, but Quarles looked upon honest scepticism with far greater favour than upon bigotry seated in irrationality.⁴ Doubt is a stage on the road to truth and hence cannot harm man’s soul.

This noble defence of the inviolability of reason and private judgment betokens the remarkable dispassion and moderation of the poet’s mind. He deplored extremism and fanaticism above all other spiritual evils and sought to vindicate the dignity and sanity of the Moderates’ position. His widow was able to write of him, “For his Religion, he was a true sonne of the Church of England; an even Protestant, not in the least degree biassed to this hand of superstition, or that of schisme, though both those factions were ready to cry him down for his inclination to the contrary.”⁵ He distrusted the Puritans because of their fanaticism, which he feared would destroy beauty, learning, order, and, above all, good manners in England.⁶ He

¹ Quarles, *Works*, II, 28.

² *Ibid.*, I, 40, and cf. I, 42.

³ *Ibid.*, III, 86.

⁴ *Ibid.*, I, 37.

⁵ Grosart, *Works of Quarles, Memoir*, I, xxii.

⁶ Quarles, *Works*, III, 235-236.

THE LAYMEN AND THE MODERATES

charged that they were "like those Mills, that cannot grind Their Corne, unles they worke against the Wind."¹ His dislike of the Laudian school was quite as unmitigated. Quarles held that they were factious and feared that they were endeavouring to force superstition upon England. And especially, he charged that they were guilty of a deplorable effort to destroy the moderate and tolerant nature of the Church of England.

As Quarles surveyed the English scene his pessimism was deepened. He felt that "raw divines" were overwhelming reason and tolerance for their own selfish ends:

"They now begin
T' appoint the Field, to fight their Battailes in:
School-men must war with School-men; text with text."²

It would be difficult to cite a more bitter and telling condemnation of ecclesiastical bigotry than his lines:

". . . Opinion thwarts Opinion;
The Papist holds the first; The last, th' Arminian:
And then the Councils must be call'd t' advice,
What this, of Lateran sayes; what that, of Nice:
And here the poynt must be anew disputed;
Arrius is false; and Bellarmine's confuted:
Thus with the sharpe Artill'ry of their Witt,
They shoot at Random, carelesse where they hit.

.
Free-Wil's disputed, Consubstantiation;
And the deepe Ocean of Predestination,
Where, daring venter, oft, too far into 't
They, Pharo-like, are dround both Horse and Foot."³

Such contention, even in important questions of faith, can accomplish no positive good. Factious and intolerant sects may be "nipped in the bud" at their inception in the interests of peace and moderation. But once they are established, "it is wisedome not to oppose them with too strong a hand; least in suppressing one, there arise two: A soft current is soon stopped; but a strong stremme resisted, breakes into many, or overwhelmes all."⁴ Persecution accomplishes nothing and, since it

¹ Quarles, *Works*, II, 228.

² *Ibid.*, II, 212.

³ *Ibid.*, II, 213.

⁴ *Ibid.*, I, 16

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

is a violation of reason and private judgment, it may work grave injury to God's own designs. Quarles warned the clergy:

"Judge not too fast: This Tree that doth appeare
So barren, may be fruitfull the next yeare:
Hast thou not patience to expect the Hower?
I feare thy owne are Crabs they be so sower;
Thy Judgement oft may tread beside the Text;
A Saule to day, may prove a Paul, the next."¹

God would have men redeemed in His own way and time. Even the Romanists, who promote both idolatry and spiritual tyranny, should not be destroyed by persecution.² God has permitted Satan to plant them in England and "He hath not authorized us to root them up, nor yet to take the lives of any, untill their actions come within the danger and compasse of the establisht Lawes of the Land."³ God has never permitted men to destroy heretics and idolaters save by His express command, and that has been withheld since the time of the Gospel.

Quarles's vindication of spiritual liberty was complete. He defended the nobility and sanctity of the individual reason and will from the harsh assaults of that clerical bigotry which was overwhelming the England of his day, and rested his defence upon the ground that only by the exercise of an unfettered reason could men find God at all. Every man must take the path of reason, and the doubts and errors which befall him on that way must not be used as an excuse for coercion. The poet's natural pessimism was intensified by the wrangling and bitter contentions of the two powerful religious parties in England, and he laid bare the ugly structure of the tyranny which they sought to impose. He nobly defended the moderate position and warned his generation that beauty, reason, good taste, and civilization itself perish when the clash of rival extremisms fouls the fruitful soil of moderation.

Of great importance in the history of the development of the moderate point of view was the pseudonymous *Differences in*

¹ Quarles, *Works*, II, 208.

² *Ibid.*, II, 209, 236, 240-241.

³ *Ibid.*, I, 154.

matters of Religion, betweene the Easterne and Westerne Churches (1625).¹ The writer not only stressed the importance of reducing doctrines to those fundamentals of faith upon which Christians could agree, but insisted that clerical bigotry and intolerance were bringing ruin to the Church. He viewed the religious scene with remarkable objectivity and urged that Christendom might again be reunited if the various systems of exclusive truth could be resolved into a simple and comprehensive religious structure.²

The author complained that clerical zeal in the prosecution of the peculiarities of faith, rather than lending emphasis to the fundamentals, was largely responsible for the disordered state of religion. There "is not a moule-hill this day in religion betweene the one side and the other, which to them seemeth not to bee an high mountaine."³ The clergy refuse to view religion broadly and are selfishly devoted to partisan ends. Not only have they declined to exercise moderation in the handling of religious disputes, but they have been actively engaged in the stirring up of contention. Charity and tolerance alone will enable us to dissolve the differences which impede the spread of Christianity.⁴ The unity of the Church has been broken by "want of charitie, or of prudent discretion of things necessary from things indifferent. This age is pestered, yea, it is consumed with these fire-brands in matters indefinable."⁵ The Church has been rent into opposing sects which defend their positions with increasing rancour. When good men have tried to heal the differences and establish a basis for moderation and charity, they have been damned by both the extremist camps as "neutralls" or atheists.

The writer pleaded that Christians should rid themselves of dogmatic zeal and that they should endeavour to gain perspective and objectivity in their estimate of the problems created by religious differences. When a man succeeds in establishing this

¹ The writer has been unable to learn much about this remarkable work. The book is fairly rare. Copies are possessed by the B.M., Bodl., Camb., Mc, and Hunt collections.

² *Vide* Jordan, *Religious Toleration*, I, 325-333, *et passim*, for earlier consideration of this position.

³ Rodoginus, *Differences in matters of Religion*, pref., B 2.

⁴ *Ibid.*, pref., C 2.

⁵ *Ibid.*, pref., D 2.

sceptical yet charitable attitude, the errors and intolerance of both sides become immediately apparent. He will see that most of the harshness and bigotry proceeds from a concern with matters of faith which are not essential.¹ It will be apparent that every point in controversy has been given the dignity of a belief necessary to salvation and those who refuse to embrace it literally are thereupon consigned to hell by the orthodox.² In scathing terms the author condemned this characteristic intolerance of orthodoxy—"Popish curses and excommunications . . . I abhorre with my soule, since the peremptory and rash excommunications, the drawing of the Sword of God upon every idle occasion scandalously, and many times in derision of God and His church, the cutting off men from the communion for little causes, for no causes; yea for vertuous actions, . . . have occasioned, bred, brought to light, nourished, and yet still foster the rent of the church."³

The views of this pseudonymous author found considerable sympathy in the thought of Richard Sibbes (1577–1635), who may be regarded as the most important of the Moderates drawn from the Puritan camp. Sibbes was educated at Cambridge, where he became a lecturer in 1610, only to suffer deprivation five years later on charges of Puritanism.⁴ In 1617 he became the preacher to Gray's Inn, where his learning, deep piety, and breadth of view soon gained great influence for him. His church was crowded every Sunday not only by the lawyers but by the nobility, the gentry, and the citizenry.⁵ His sermons were completely divorced from the controversies of the day, and the great preacher loved to dwell upon the spiritual nature of religion. The Anglican Fuller said of him, "He was most eminent for that grace, which is most worth, yet cost the least to keep it, viz. Christian humility."⁶ In 1626 Sibbes was chosen master of St. Catherine's Hall, Cambridge, and during his

¹ "But Christians thunder calumnies and bolt excommunications one against another, if there be but a difference in any kinde of ceremonies." (Rodoginus, *Differences in matters of Religion*, pref., E.)

² *Ibid.*, pref., E 3.

³ *Ibid.*, pref., F.

⁴ D.N.B., art. *Richard Sibbes*.

⁵ Brook, B., *The Lives of the Puritans*, II, 417.

⁶ Fuller, *Worthies* (ed. P. A. Nuttall, 1840), III, 185; and *vide* Sibbes's *Works* (ed. Grosart), *Memoir*, I, cxxiv–cxxv. Cf. Brook, *Lives of the Puritans*, II, 418.

mastership preached at St. Mary's. He was by this time one of the most renowned preachers in England, and the church was so crowded with students and townspeople that the authorities were obliged to rule that seats would be reserved for pew-holders only until the bell had been rung for services.¹ Sibbes was later offered the provostship of Trinity College, Dublin, by Ussher, who resembled him so strikingly in quality of mind and breadth of view, but he declined the offer for reasons which remain obscure. Sibbes was thoroughly Calvinistic in his doctrinal views, but he strove throughout his life to preserve the unity of the Church and to formulate a moderate religious conception which would ensure tolerance and charity for all Christian men. It is the supreme tragedy of the Stuart age that those in authority completely failed to understand that peace and religious order could be attained in this way alone.

The source of Sibbes's tolerance may be said to lie in his emphasis on the necessity for charity and compassion in religion. Men can be won to Christ only by mercy, reason, and patience. Those weak in faith should not be plagued with harshness and disputation.² Men are by their very nature weak and imperfect, and Christ demands far less of them than we seem to realize.³ There is the gravest danger that we shall make the way of faith narrower than Christ left it. "Weak Christians are like glasses which are hurt with the least violent usage, otherwise if gently handled will continue a long time. . . . In unclean bodies if all ill humours be purged out, you shall purge life and all away. . . . Perfect refining is for another world, for the world of the souls of perfect men."⁴

Grievous error cannot be tolerated within the true Church. But Sibbes held that the Church was being rent by bigoted controversies over matters which were not essential rather than by an attempt to cleanse itself of damning heresy. He reminded his auditors that the "age of the church which was most fertile in nice questions, was most barren in religion: for it makes people think religion to be only a matter of wit, in tying and

¹ Sibbes, *Works*, Grosart's *Memoir*, I, liv.

² Sibbes, *Works*, I, 44-45.

³ *Ibid.*, I, 47-52.

⁴ *Ibid.*, I, 53.

unting of knots; the brains of men given that way are usually hotter than their hearts.”¹ The dissension and persecution which vain and bigoted men have provoked in these matters are destroying the Church and are furthering Satan’s designs. There are men who would destroy the unity of the Church rather than relent from their stubbornly conceived private opinions.² Christians are coerced by this intolerance further than charity would press them. Sibbes detected in the Protestantism of his day the fatal germs of that spiritual tyranny which had corrupted Rome. And spiritual tyranny, he held, “is the greatest tyranny, and then especially when it is where most mercy should be shewed; yet even there some, like cruel surgeons, delight in making long cures, to serve themselves upon the misery of others.”³ Such men appear to be discontented with the nature of the Church which Christ founded and seek to corrupt and change it to their own selfish ends.

Sibbes protested strongly against the use of force in religion and deplored the violence which bigoted men employed in order to gain their ends. Religious tyranny is the inevitable result of ambition and selfishness. Such men raise canons of their own to the dignity of the Word of God and press their views with the greatest violence, though they are nothing but “brats of their own brain.”⁴ The tendency to define dogma in precise and coercive terms and to press these formulations upon others has done religion the gravest injury. Men come but gradually to true faith. Christianity is a mystery to every man before his conversion, and the great veil of unbelief obscures the face of truth. No man can be condemned for his unbelief since it is not a conscious sin. “What creature will run into a pit when he seeth it open? What creature will run into the fire, the most dull creature?”⁵ God alone can take away the veil which obscures His truth. “God only hath the privilege to teach the heart, to bend and bow the heart to believe.”⁶ Thus, Sibbes would seem to argue, we condemn God when we condemn those who have not had the veil of disbelief lifted from

¹ Sibbes, *Works*, I, 54.

² *Ibid.*, I, 76.

³ *Ibid.*, I, 77.

⁴ *Ibid.*, III, 501.

⁵ *Ibid.*, II, 463.

⁶ *Ibid.*, II, 465.

THE LAYMEN AND THE MODERATES

their eyes. The use of force has no legitimate place in the religion of Christ.¹

Sibbes pleaded for a large charity and a larger moderation as the solutions for the pressing problems of his age. We must sacrifice our own prejudices and ambitions in order to preserve the peace and unity of the faith. For his own part, he refused to break the unity of the Church of England, though he held it to be corrupted with popish ceremonies and profane persons.² To depart from it would be to embrace a remedy worse than the disease which corrupts it. No visible church can ever attain complete purity, and so long as the Church of England cleaves to the essentials of faith Sibbes promised his allegiance to it. To press too harshly for absolute purity will lead men to an intolerance destructive to the very meaning of religion. England may best serve the cause of God by embracing a moderate and tolerant conception of the Church which will include all but the most fanatical and misguided men.

The outbreak of the Thirty Years' War and the evident weakness of a divided Protestantism served to encourage the Moderates to seek some formula upon which the Reformed churches, at least, could agree. This interest culminated in the important though fruitless efforts of John Dury to effect a Protestant union, and led to an attempt to reduce dogma to its bare essentials.

Thomas Scott,³ who wrote prolifically in the later years of

¹ Sibbes did not, however, completely disavow the use of compulsion in religion. An unlimited toleration, he argued, would result in a spiritual anarchy destructive to faith. He felt that the Catholics, at least, should be compelled to attend the "means of faith" at public worship, though their faith could not be compelled. (*Works*, III, 499-500.)

² *Ibid.*, I, cxv-cxvi.

³ Scott (1580?-1626) is well worth special treatment. Little is now known concerning his early career. He apparently graduated from Cambridge, and for many years was rector of a parish in Norwich. His long series of attacks on the Spanish marriage negotiations and on the Roman Catholics was introduced with his *Vox Populi* in 1620. His style was clear and effective, and he possessed unusual controversial ability. He was obliged to flee from England in 1623, and was assassinated in Utrecht three years later under circumstances which have not been fully examined. Scott was the first important political pamphleteer, and his score of polemics exercised a larger influence in the moulding of opinion than has generally been understood. He was a moderate Anglican in his religious views.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

James's reign, made important contributions to this point of view. Scott was bitterly opposed to the projected Spanish marriage treaty. He regarded England and continental Protestantism as gravely endangered by the apparent unity of Catholicism, and declared that Protestantism must find some basis for union if it were to survive. Scott was in consequence of this obsession driven to a theory of toleration by indirection.

In his view there were three principal religions in the world "justling for the truth."¹ The adherents of these faiths are all firmly convinced of the justice and truth of their beliefs. Of all the great religions Christianity alone is distracted and torn by dissensions. Yet, so Scott believed, the Protestants, at least, were united on all essential doctrines. But the various Protestant sects have drifted close to the fatal Roman error of claiming and seeking to enforce an absolute system of truth. The Roman Church has jealously maintained its pretension to pronounce infallibly in questions of religion, "like a man, who would perswade all England there were no other way to London, but through his ground, . . ."² We usurp the role of God when we judge the faith of other men and condemn them as heretics because they do not choose to walk in our way.³

Scott charged that the source of this destructive intolerance lay in the weakness and depravity of human nature. Men are blinded and warped by their prejudices, and they come easily to mistake prejudice for truth. "Man naturally abhors all things propounded by his adversarie; and the hate of the person will not suffer him to intertwaine the truth of his discourse, but rather seeke arguments to oppose it, his iudgment is so taken up aforéhand."⁴ This psychology leads to persecution and to the use of force, which, it should be evident, are useless weapons in religion. For the more religious truth is repressed "the more it will flourish and prevale; for . . . if one penne, or tongue be commanded to silence, they will occasion and set tenne at libertie to write and speake; as grasse or cammomell, which

¹ Scott, *The High-Waies of God and the King. Wherein all men ought to walke in holinesse here, to happiness hereafter* (L., 1623), 9.

² *Ibid.*, 11.

³ *Ibid.*, 12.

⁴ *Ibid.*, 15.

the more it is depressed, the thicker it will spread and growe."¹

If Protestantism is to survive, Scott argued, men must be educated to a larger tolerance and a more comprehensive charity. Force and narrow doctrinal zeal will have to be forsown and the progress of the Church and the spread of truth will have to be left in the hands of God, through the preaching of His Word and the workings of His Spirit. Moreover, the tendency of Protestantism to depend upon the civil power to enforce particular systems of truth will have to be renounced. It does not seem probable that God is now in any greater dependence upon the sword in combating evil and heresy than He was in the early days when the Church was planted.² The prince has no power to frame or direct the Church and it should be evident that the use of drastic methods has served only to deepen the wounds of Christendom. "Force never did good, especially with fierie natures, but mollifying oyles of interchange and abatement, may by kind conference close and consolidate all differences."³

A similar dislike of theological controversy and intolerance was deeply engrained in Sir Henry Wotton, who after a distinguished diplomatic career retired in 1624 to become provost of Eton, where he was a familiar of Hales. His broad experience and travel had made him deeply tolerant of all religions, and he was convinced that saving grace was to be found in all the Christian communions. While a diplomat in Germany he had lent his best efforts towards a vain attempt to effect a religious union of German Protestantism and had written James that Protestantism must lay aside its small differences if it were to survive. The State should intervene, if necessary, to suppress the heat of passionate divines.⁴ He blamed the bigotry of the clergy for much of the intolerance which disturbed Christianity, and declared that Christians should rejoice in the fact that they were united in the fundamentals of faith and should concede

¹ S. R. N. I. (i.e., Scott), *Vox coeli, or newes from heaven* (L., 1624, 2nd ed.), 61. Scott placed this statement in the mouth of Henry VIII in an imaginary conversation between Henry and his Protestant children on the perfidy of the proposed Spanish marriage.

² (Scott), *Digitus Dei* (1623?), 33.

³ *Ibid.*, 37.

⁴ *Sir Henry Wotton to James I*, June (?) 1619, L. P. Smith, *The Life and Letters of Sir Henry Wotton*, II, 179.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND
complete freedom of dissent in other matters. He taught that every man should remain calm in the face of the bitter differences which despoiled religion. The Christian should maintain a sturdy independence of mind and judgment.

Wotton expressed his creed in the sentiment:

“How happy is he born and taught
That serveth not another’s will;
Whose armour is his honest thought,
And simple truth his utmost skill.”¹

Numerous stories have been preserved which indicate the remarkable tolerance of Wotton. Thus Tulloch relates that when someone asked him whether Papists could be saved, he replied, “You may be saved without knowing that: look to yourself.”² So characteristic was his distaste for the dissensions and controversy which had divided and embroiled Christendom that there was inscribed on his tombstone:

“Hic jacet hujus Sententiae primus
Author
Disputandi pruritus Ecclesiarum Scabies
Nomen alias quaere.”

The interest of the English Moderates in the reunion of Protestantism on the basis of a softening of doctrinal rigidity and agreement by the various Protestant groups on a simple doctrinal formula reached its height in the remarkable career and voluminous writings of John Dury (1596-1680), who devoted a half-century to the syncretistic ideal. The son of a noted Scottish minister who had been banished in 1606 for his stubborn Presbyterian zeal, Dury was to receive a cosmopolitan education and outlook which fitted him for his life’s work. He studied for some time at Sedan under his distinguished cousin Alexander Melville, and later at Leyden and Oxford. In 1628 he became minister to the English Company at Ebling in Prussia. By this time he had become engrossed in his plans for the reunion of Lutheranism and Calvinism, and had won the warm support of the English ambassador, Sir Thomas Roe, whose wide travel and tolerance had made him vigorously opposed to the sharp doctrinal orthodoxy prevalent in England

¹ Wotton, *Poems* (1845 ed.), 29.

² Tulloch, *Rational Theology*, I, 199.

and on the Continent. With Roe's support Dury returned to England, where he interested Archbishop Abbot and the liberal bishops Bedell and Hall in his plans.¹

In 1631 Dury left for the Continent and immediately sought out Gustavus Adolphus, who gave him every encouragement and promise of support. He likewise had the warm sympathy of Calixtus, the distinguished German scholar, who was deeply absorbed in syncretistic schemes. Calixtus reminded Dury of the grave danger in which a divided Protestantism stood and deplored the intolerance which showed no sign of diminution. Dury spent two years attending various ecclesiastical assemblies in Germany and Holland, but though he was cordially received, the death of Gustavus destroyed any hope of immediate success. He returned to England in 1633, determined to win wider support for his plans and to secure stronger credentials.

Roe gave Dury powerful support, recommending him to Abbot,² and urging Laud to lend his influence to the negotiations in order that "the names of Luther and Calvin may be buried, the schism removed, and love and charity take the chair from envy and dispute."³ At the same time, he sought through the Secretary, Windebank, to gain the approval of the King for the plan, which he represented as necessary for the safety of Protestantism.⁴ Dury enjoyed the warm sympathy of Abbot and Ussher,⁵ and the mild support of Laud.⁶ Armed with these imposing credentials Dury left in 1634 for Germany, where he attended the Frankfort Assembly. Once more his plan received little more than polite attention, but the indefatigable Dury visited the Netherlands and Sweden during the ensuing months. He was still abroad in 1639, when he visited Denmark and through conferences or correspondence aroused some

¹ *S.P. Dom.*, *Charles I*, xciii, 73 (June 12, 1631).

² *Ibid.*, ccxliii, 17 (July 20, 1633). ³ *Ibid.*, ccxliii, 62 (July 31, 1633).

⁴ *Ibid.*, ccviii, 29 (January 8, 1633-4).

⁵ Ussher attempted during the Protectorate to assist Dury's plan for reunion by outlining the essential teachings of Christianity. The structure of religion, as conceived by Ussher, was very simple indeed. There was no emphasis whatever on the details of doctrine. In fact, any seventeenth-century Christian could have subscribed to it without violence to the teachings of any particular communion. (Ussher, *A Summarie Platform of the heads of a Body of practicall divinity* (L., 1654), especially 2-4.)

⁶ Gardiner, *History of England*, VII, 314.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

interest in his proposals in the Reformed Churches of Switzerland and France. In England the Moderate bishops Hall and Davenant were following his negotiations with great interest, and Hall had assured him that "if our princes will follow the thread of that design we shall easily extricate ourselves from this labyrinth of controversies."¹ Dury's work was interrupted by the political crisis in England, and he returned in 1640. He attached himself to the Royalist party, though he contended with truth that he had given his allegiance to no religious group, and in 1643 removed to Rotterdam, where he resided until he was called to England in 1645 to sit in the Westminster Assembly.²

Though Dury's negotiations for the reconciliation of the

¹ *S.P. Dom., Charles I*, cccclxiii, 67 (August 10, 1640).

² Dury did not permit the war to interrupt his efforts, which had by this time become an obsession. He carried on a voluminous correspondence with his innumerable acquaintances abroad, and in 1634 succeeded in interesting Cromwell in his proposal.

He proceeded to Switzerland and there met deputies from all of the Calvinistic cantons, who formally approved his scheme and recommended it to the consideration of the Churches and schools. (Dury, *A summarie account of Mr John Dury's former and latter negotiation* (L., 1657), 25.) He conferred with leading Swiss ministers for several weeks and then travelled through the Calvinistic centres of Germany, where he conferred with numerous princes and ministers. He then went to the Netherlands, where he attended several synods in order to address them, and later laid his proposal before the States, which recommended him warmly to the provinces. He spent several weeks in the larger cities, preaching and interviewing constantly, and in September 1656 returned to The Hague to attend the final session of the States. The Government approved his scheme for reunion on condition of the prior concurrence of the Lutherans. (*Ibid.*, 41.) By this time Dury was so far advanced in his views that he had embraced the principle of religious toleration and regarded all doctrinal systems with disfavour. His unorthodoxy, when combined with the fact that the pressure of war had been relieved in Germany, contrived to destroy his influence amongst the Lutherans, and both he and Calixtus were bitterly attacked for their efforts. Dury may be regarded as nominally a moderate Presbyterian, though he was in fact an advanced Liberal attached to no party. In 1650 he wrote that he regarded the Church of England as a true Church, declaring that episcopacy was an indifferent matter and that the long-disputed ceremonies, "if they were not pressed above their nature, and made superstitiously, . . . the principal work of their worship," might be accepted without harm. (Dury, *The unchanged . . . peace-maker* (L., 1650), 6.) He accepted a living in the Church of England when assured by Laud that it would strengthen his influence abroad. Dury's thought, as it relates more specifically to the question of toleration, will be considered in the concluding volume of this study.

Protestant communions came to naught, and in the cold light of history appear somewhat fantastic, his thought was to have a very considerable effect upon the Moderate party. It seems evident that he was greatly influenced by the Arminian attempt to find a simple and non-controversial doctrinal formula, and particularly by the absorption which Grotius displayed in a similar dream of reunion. Dury was rather more a propagandist and pamphleteer than a scholar; he wrote rapidly and, at times, carelessly, and his obsession with the idea of reunion makes his numerous tracts monotonous reading.

He based his position on the assertion that the Protestant groups were in fact in agreement on the fundamentals of faith and that the bitter doctrinal and ritualistic controversies which divided Protestantism were unnecessary and irrelevant. No difference in matters which are not essential to saving faith should be permitted to divide Christians.¹ All of the Protestant communions adhere to the essentials of faith.² The difficulty has been that the various communions stubbornly "stand upon their owne justification, . . . to make their cause good, they will readily censure and condemne others" in a harsh manner. Pride and perversity cause each religious group to insist that all of its peculiar beliefs are necessary for salvation and to charge that its opponents err in the fundamentals when in fact they differ only in details.³

Dury submitted that this state of affairs was both ruinous and unchristian. It has been his aim to bring the Protestant communions together "by the acknowledgement of the same fundamentalls of true faith" to "the observation of the same rules of obedience, by a peaceable walking in the duties of Christian moderation, and charitable forbearance of each other in the things extra-fundamental, . . ."⁴ Christianity has been too long confused by differences which are erroneously regarded

¹ *A copy of Mr. John Dury's letter presented in Sweden to . . . Lord Forbes (1643; written 1637?), 2.*

² Dury, *A Memoriall concerning peace ecclesiasticall amongst Protestants (1641), 5; Motives to induce the Protestant princes to mind the worke of peace ecclesiasticall amongst themselves (1641); An earnest plea for gospel-communion (1654 ed.).*

³ Dury, *Letter to Lord Forbes, 3.*

⁴ Dury, *The effects of Master Dury's negotiation for the uniting of Protestants in a Gospell interest (L., 1657?), 1.*

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

as serious. Christians should be united on the basic truths, if possible by a general confession, sweeping away the emphasis on minor controversies which has been a constant source of irritation and intolerance.¹ This may easily be accomplished by the acceptance of a confession based upon the clearly revealed religious truths of the Bible, upon which Christians are already in agreement, and by the stern exclusion of all points in controversy.² At the same time, a common rule should be framed for interpreting the Bible and in this manner a certain method could be established for determining what is required of us in the attainment of salvation.³ The Scriptures command nothing more clearly than the necessity for peace and unity.⁴ The endless strife of Protestantism has impeded the progress of the Gospel and has gravely weakened the cause of Christ.⁵ If a real unity based upon mutual tolerance could be attained, persecution and bitterness would be ended and all nations might be brought into the fold. For his part, Dury confessed, he sought brotherhood with every man "as he hath a relation unto God, who is my Father in Christ: if then I finde that hee hath the same interest in God which I have, and doth call Him Father upon the same grounds which I do; . . . then I doe conceive him to be my brother, . . ."⁶

Dury gave the most systematic outline of his plan in the *Summary Discourse concerning the work of peace ecclesiasticall*, which he presented to Roe in 1639, while engaged in his second effort to secure reunion. He defined his mission as "a nego-

¹ Dury, *Letter to Lord Forbes*, 3-4.

² Dury recommended that the several Churches attempt to reconcile their confessions on the basis of their "fundamentall agreement amongst themselves, and with the expresse rules in the Word, should be taken and distinguished from the circumstantiall, . . . This their agreement in substantiall, and difference in diaphorall practises, wherein every Church hath its own liberty, might be published, as the harmony of rules in publike worship observed by Protestants in conformity to Gods ordinances, and what is over-plus as a clogge and mixture of humane institutions in some Churches, means should be thought upon how that might little by little, be antiquated and left off." (*Copy of a Letter written to Mr. Alexander Henderson* (L., 1643), 10; *vide also Letter to Lord Forbes*, 6.)

³ Dury, *An Epistolary Discourse . . . Whether or no the State should tolerate the Independent Government* (L., 1644), 3-4.

⁴ *Ibid.*, 9.

⁵ *Ibid.*, 11.
⁶ *Ibid.*, 12-13; *vide also his Discourse concerning the ground, termes, and motives of brotherly unitie and forbearance* (L., 1648), 39-40, 57.

tiation whereby the spirits of spiritual persons are wrought upon by spirituall means, tending to induce them to peaceable dispositions toward those with whom they are at variance for matters of religion."¹ The Lutheran and Reformed Churches have drifted so far apart as to regard each other as hostile. Nothing can be accomplished unless "spirituall men, by spirituall means," undertake the task of reconciliation in an attitude of tolerance and charity.² We must attain a position of objectivity and dispassion. Men are needed for this task who have "universall thoughts" and who are "not wedded to any singular course."³ He regarded the highly orthodox and captious temper of many of the Lutheran divines as the most serious obstacle to the attainment of a tolerant disposition.⁴ In these circumstances Dury, like Sandys a generation earlier, was driven to depend upon the Erastian interest of the prince in putting an end to perpetual theological discord.⁵ He trusted that he could persuade the German rulers to "cool the spirits" of the divines and to bring them to a "consideration of some few infallible principles, from which the determination of truths fundamentall, and matters necessary to be known and practised unto salvation, may be deducted without great difficulty, and consequently all schismaticall differences composed."⁶ Nothing can be accomplished until intolerance is beaten down, and the clergy are chiefly responsible for the intolerance which wracks Protestantism. They "spend their strength and wit upon needlesse and curious dispensations about matters of private opinion," and have been responsible for imposing indifferent matters upon their flocks.⁷ They have not learned that religion is spiritual in its nature. Even against the real adversaries of the Church, we should proceed with the greatest moderation and then only with the weapons of the spirit. Harsh words and persecution serve no other end than to confirm men in their opinions and to thrust them deeper into error.⁸

During the period under consideration, Dury made no

¹ Dury, *Summary Discourse* (Cambridge, 1641), 1.

² *Ibid.*, 5.

³ *Ibid.*, 7.

⁴ *Ibid.*, 19.

⁵ Jordan, *Religious Toleration*, I, 369.

⁶ Dury, *Summary Discourse*, 32; and *vide his Petition to the Honourable House of Commons* (L., 1641).

⁷ Dury, *An earnest plea for gospel-communion*, 59.

⁸ *Ibid.*, 68.

definite announcement of his own conception of the irreducible minimum of doctrine necessary for salvation. He hoped to persuade the Protestant rulers to convene a general synod where this great work might be accomplished, and he did not desire to precipitate controversy in advance by attempting to suggest the details of such a formula. He did, however, make it clear that his notions in this connection were tolerant and liberal. He proposed that if men cannot agree that a given doctrine or practice is necessary for salvation, it may certainly be regarded as extra-fundamental. Fundamental truth should be the criterion by which every doctrine and every controversy is tested. If Christians will then cleave to the foundations of faith, all other beliefs and practices may be tolerated as indifferent matters.¹ The interest of the Church must be shifted from the preoccupation with the defence of an inflexible system of creed to edification and the promotion of a moral life. In this manner alone may the Kingdom of Christ be realized.

Dury made a larger contribution to the moderate position and to the development of the idea of toleration than has generally been appreciated. His broad tolerance, the charity displayed in his writings and conversation, and his amazing objectivity made a considerable impression upon his contemporaries. Then, too, his firm denunciation of bigotry and intolerance and his long labours for the ideal of reunion helped to sustain a noble tradition which, though feeble for many years, was eventually to assist in dissolving doctrinal orthodoxy. Dury insisted that all the truth necessary for salvation was plainly revealed by God in the Scriptures; that the Protestants, at least, enjoyed sufficient truth; and that all other differences were so unimportant that they should be charitably regarded. He denounced the coercion of opinion, and steadfastly held that spiritual ends could be prosecuted with none but spiritual weapons. Dury's temper was marked by common sense rather than by rationalism, but the tolerant comprehensiveness of his ideal of reunion places his thought in close relation to that of the better known Latitudinarians.

¹ Dury, *Summary Discourse*, 40-41.

3. LUCIUS CARY, SECOND VISCOUNT FALKLAND, 1610?-1643

The inspiring spirit of the Latitudinarian group was Lucius Cary, Viscount Falkland, whose remarkable personality and charm of manner appear to have influenced his contemporaries far more than his significant but slender works. Falkland will ever be the symbol of the finest type of moderate—a man of the most delicate discrimination, of the utmost restraint and mental balance, and, above all, a man possessed of sensibilities so keen that the clash of violent opinions destroyed him at the very opening of the Civil War. Falkland was, as Tulloch has so well said, a martyr of moderation.

The son of the Lord Deputy in Ireland and of a Roman Catholic mother, Falkland used his large means for the establishment at Great Tew of a centre for wit, learning, and thought. Great Tew became in the heated and controversial atmosphere of English religious life a mountain peak of objectivity from which the religious scene was viewed and analysed with rare dispassion and tolerance of spirit. Falkland reacted sensitively to the dogmatic intolerance of his age and lent his ability and his influence to an attempt to moderate bigotry and to secure liberty of conscience.¹ He was too completely a Moderate to embrace the standard of either of the great parties in England, and his career should be regarded as the effort of a gentle and thoughtful man to counsel reason and compromise at a time when England was rapidly drifting into civil war. As Gardiner has ably expressed it, "His gentle, loving heart longed to compose the difficulties of the world, and to bid the weapons fall from hands which were prepared for bitter war."²

Falkland's nature rebelled at any attempt to repress the freedom of reason and conscience. He distrusted and feared the tendency of ecclesiastical systems to bolster their authority by claiming to possess an infallible truth from which no dissent could be permitted. He considered these problems in some detail, and though his argument was formally addressed against the pretensions of Rome, it is evident

¹ Green, *History of England*, V, 41, 72.

² Gardiner, *History of England*, VIII, 257.

that he was attacking every species of religious intolerance as well.¹

Falkland charged that the pretension of the Roman Church to absolute spiritual authority—the basis of its intolerance—is derived from the fact that the Church maintains that it can pronounce infallibly concerning religious truth. This contention has been set forth with amazing audacity and has never been properly submitted to the examination of reason. Evidently such a claim could only be substantiated from the Bible, upon which the Christian religion rests, and he who examines it upon that basis cannot be accused of error. The Romanists argue the necessity for some infallible guide in religion, but it does not follow that claimed necessity creates factual authority. Further, if it be granted that the possibility of an infallible religious judgment exists, it by no means follows that this infallibility is lodged exclusively in the Church of Rome.² If it is admitted that a true Church exists which embraces an all-inclusive truth, there must in the welter of conflicting claims to infallibility be some instrument for finding that Church—and that instrument must necessarily be reason.

Falkland's argument was tight and cautious. Even granting all of Rome's claims, reason remains the supreme guide in religion. No argument can be advanced which destroys the basic authority of private reason. The Romanists have endeavoured to destroy private judgment by the assertion that it is anarchistic in its effect and will consequently dissolve all religious authority. This contention seeks to conceal the fact that important differences of opinion have always existed in the Roman Church, and alleges without proof that differences of opinion in religion are necessarily displeasing to God. Since men must in the last analysis depend upon their reason as their guide in religion, it would seem that God in His mercy would

¹ Falkland first considered these problems in his *Of the infallibilitie of the chvrch of Rome*, which was published in 1645. This treatise was answered by an English Catholic named Holland, who treated Falkland's argument with considerable respect and deference. This provoked Falkland's *Discourse of infallibility, with an answer to it: and his Lordships reply*, also published posthumously in 1651. (The earlier work was reprinted as part of the *Discourse*, and our citations are to the latter work.)

² Falkland, *Discourse*, no pagin.

not damn men for their errors in interpreting those points of His Truth which He has not seen fit to make self-evident. We may be sure that to those "who follow their reason in the interpretation of the Scriptures, God will either give His Grace for assistance to find the Truth, or His pardon if they misse it. And then this supposed necessitie of an infallible guide, (with the supposed damnation for the want of it) fall together to the ground."¹

The right and the sanctity of private judgment were defended in the strongest terms by Falkland. Men cannot transfer their personal spiritual responsibility to any other person or institution, and they cannot be saved by lending blind obedience to authority. For too long, he argued, men have adopted particular religious views because they were those of their parents or of their country. We have made our salvation depend upon the accidents of birth and life when we should have placed it upon the firm basis of reason and experience. Falkland presents that it is far nobler to seek with our own reason that truth which appears valid to our judgment than to receive a doctrinal system wholesale because it is commanded by authority. In a sense salvation may be said to lie in the searching for it. No man who earnestly and persistently seeks truth and the true Church can possibly be an heretic or err damably. The way of truth is harder than that of obedience, but it is infinitely surer. For himself, Falkland confessed, he had an open mind and would accept any position of which he could be convinced in reason. But he insisted upon the God-given prerogative of subjecting every claim of authority to the cold judgment of his own reason. Every Christian must in the end test both the Church's claim to infallibility and its dogma by his own intelligence. This he does, with God's guidance, by his own interpretation of the Bible, and the Bible must be regarded as the one infallible religious guide.²

Falkland's deep-seated dislike of any clerical power which laid claim to a divine authority and infallibility or which sought to coerce or limit the exercise of reason was strikingly displayed in his first speech during the early debates on episcopacy in the Long Parliament. In this speech the point

¹ Falkland, *Discourse*, no pagin.

² *Ibid.*

of view of the English Moderates achieved high vindication, though the currents of extremist thought were so far advanced that it was to carry little weight. The Puritan majority was quite as much irritated by the tolerance and circumspection of Falkland's view as was the Laudian party by the annihilating logic with which he cut away their pretensions.

The Anglican Church, as defined by Laud, claimed a divine jurisdiction and had employed every resource to strengthen this claim and to extinguish all opposition. Falkland detected in this bigoted assumption a grave threat both to the freedom of the subject and to the English ideal of a balanced constitution. To the plea of the Laudian party that the pretensions of the Church extended no farther than the spiritual sphere, Falkland rejoined that it could neither substantiate its claim to rule conscience nor show that it had not in fact exercised a formidable influence in civil policy. England has long laboured under grave oppressions both in religion and in politics, and some of the bishops and their followers have been the principal cause of this tyranny.¹ The English Church was founded with a comprehensive organization which would permit substantial freedom to every individual. The Anglo-Catholics not only have destroyed the unity of that Church but also have prostituted it with superstition and scandal under pretence of establishing proper reverence and decency. "It hath beene more dangerous for men to goe to some neighbour's parish, when they had no sermon in their owne, then to bee obstinate and perpetuall recusants, while masses have beene said in security; a conventicle hath beene a crime; and which is yet more, the conforming to ceremonies hath beene more exacted then the conforming to Christianity."²

Falkland charged in carefully considered language that the Anglo-Catholic party had aimed at nothing less than the establishment of a spiritual tyranny in England, and he made it evident that his detestation of the party found its justification in that fact. He counted it as unimportant that a few of the Laudian party had aimed at reconciliation with Rome. With greater perception than most of his contemporaries he found

¹ Falkland, *A Speech made to the House of Commons concerning Episcopacy* (1641), 1.

² *Ibid.*, 4.

the greatest menace of Anglo-Catholicism in the fact that it had "laboured to bring in an English, though not a Roman popery. I meane not onely the outside and dresse of it, but equally absolute a blind dependance of the people upon the clergie, and of the clergie upon themselves, and have opposed the papacy beyond the sea, that they might settle one beyond the water."¹

If religious liberty in England was not to be destroyed, Falkland urged, the Laudian conception of the episcopacy must be annihilated. But this did not mean that the historical structure of the English Church need be devastated. Falkland found the bitter remedies of the Puritan quite as repellent as the pretensions of the extreme Anglican. It was in the interests of tolerance that he proposed a moderate solution to the English religious problems. Episcopacy does not stand condemned from the fact that evil and oppressive men have abused and prostituted it to their own ends. Falkland was possessed of the historical sense, the reverence for past good and future promise, which has characterized all Moderates. Episcopacy was a noble office in the early Church and a fruitful calling in the days of the Reformation.² This good might be retained if the office were but stripped of its abuses.³ England need not "root-up this ancient tree as dead as it appeares, till wee have tried whether by this or the like lopping of the branches, the sappe which was unable to feed the whole, may not serve to make what is left both grow and flourish."⁴

Falkland sought in 1641 to present a vision of a tolerant and comprehensive Church in which reason and freedom might prevail. That Church should be carefully framed to include the best which the past could contribute and the future could devise. It should be flexible and organic in order to meet the needs of a different age and of all inquiring spirits, and it should shun the rigid mould into which both the Puritans and the Anglo-Catholics would force it. In the words of Tulloch, "It seemed to him . . . possible to make room within the national church for wide differences of dogmatic opinions, or,

¹ Falkland, *Speech concerning Episcopacy*, 7.

² *Ibid.*, 11.

³ Freund, *Die Idee der Toleranz*, 25-26.

⁴ Falkland, *Speech concerning Episcopacy*, 15.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

in other words, for the free rights of the Christian reason incessantly pursuing its quest after truth, and moulding the national consciousness to higher conceptions of religious thought and duty.”¹

We have already observed that Falkland’s tolerance was based upon his firm belief that the individual reason alone could be regarded as the final authority in religious matters. Underlying his veneration of reason and his ideal of the Church there was, however, an instinctive detestation of force as an intellectual and moral weapon. The greatest of all the crimes which have been committed in the name of religion is the persecution of dissenting opinions. Dissent, even in fundamentals, can never justify intolerance. In the best ages of the Church the punishment of serious heresy was carefully avoided. The chief distinction of Christianity lies in the fact that it does not persecute and this glorious tradition is ill supported indeed when Turkish methods are adopted in order to maintain a Church or its doctrines. In one of the finest sentiments ever penned, Falkland professed his complete faith in toleration as a principle of religion. “I desire recrimination may not be used, for though it be true, that Calvin had done it, and the Church of England, a little (which is a little too much), . . . yet she (confessing she may erre) is not so chargeable with any fault, as those which pretend they cannot, and so will be sure never to mend it. . . . I confess this opinion of damning so many, and this custome of burning so many, this breeding up those, who knew nothing else in any point of religion, yet to be in a readinesse to cry, ‘To the fire with him, to Hell with him,’ . . . these I say, . . . were chiefly the causes which made so many, so suddenly leave the Church of Rome, . . .”²

Falkland, in summary, had demonstrated that no ecclesiastical system can lay reasonable claim to infallibility of judgment in religion. The individual reason alone can guide men to the finding of religious truth, and when this liberty is denied the very bases of religion are destroyed. No man will be damned if he has earnestly and honestly searched the mysteries of God’s Will, for it is incredible that God would have concealed necessary truth from the only instrument with which He has

¹ Tulloch, *Rational Theology*, I, 168.

² Falkland, *Discourse*, no pagin.

THE LAYMEN AND THE MODERATES

endowed man for finding and testing it. Falkland recommended a sceptical humility, a searching for truth which would absorb every man and leave him disposed to permit to every other man the same freedom. To this view he added a complete renunciation of compulsion and a stern indictment of the persecution of error, or presumed error. Such means are designed rather to hinder the pursuit of truth than to assist it, and have no place in religion. The great moderate envisaged a broad and comprehensive Church structure whose limits would be so large and so susceptible of redefinition that the free play of inquiry and reason would be confined by no limitation of its constitution. This moderate and tolerant ideal he gave to England at a moment when the clash of two intolerant and rigid systems was about to provoke war. The war broke his spirit and destroyed him as surely as it destroyed, for the time being at least, the atmosphere in which his ideal could be realized. Falkland became downcast, abrupt, and careless in dress. Sitting amongst his friends he was wont "after a deep silence and frequent sighs, . . . with a shrill and sad accent," to cry "peace, peace," and "would passionately profess that the very agony of the war, and the view of the calamities and desolation the kingdom did and must endure took his sleep from him, and would shortly break his heart."¹ At Newbury Fight in September 1643 he sought death and found it.

4. WILLIAM CHILLINGWORTH, 1602-1644

The fullest and most systematic expression of Latitudinarian thought is to be found in the writings of William Chillingworth. An intimate of Falkland, Chillingworth supplied to the Moderate party the intellectual basis of its position as Falkland had provided it with spiritual leadership. As a student at Oxford Chillingworth was renowned as a controversialist and was regarded as a rich prize by the Jesuit Fisher, who was engaged in discreet missionary efforts in the University. Chillingworth was already preoccupied with the problem of religious authority,² and the Church of Rome appeared to him to offer

¹ Clarendon, *History of the Rebellion* (ed. W. D. Macray, 1888), III, 189.

² Wood, Anthony, *Athenae Oxonienses* (1813-1820 ed.), III, 87.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

assurance in a distracted world.¹ He accordingly embraced the Catholic faith and entered the Jesuit College at Douay. Chillingworth had been led to Rome by his avid quest for religious truth and this search was to lead him shortly afterwards to renounce Rome.² In 1631 he returned to England, a member of no religious party, to continue his search for truth, which he announced was to be his life's work, "whether this way lie on the right hand, or the left, or straight forward; whether it be by following a living guide, or by seeking my direction in a book, or by hearkening to the secret whisper of some private spirit. . . ."³ Though he proposed to try all ways in the finding of truth for himself, he declared his firm resolution to maintain complete mastery of his reason in its pursuit, to remain unswayed by prejudice and popular zeal, and to preserve as complete a dispassion and objectivity as possible.⁴

Chillingworth's thought is distinguished for its almost transparent honesty and for its deep-seated scepticism. His greatest work bears throughout the marks of a profound religious struggle through which the author was still passing, and exhibits that strength and honesty of character which enabled him to consider the controversial questions of his age with an Olympian calmness of spirit. Tulloch has said, "Strength and earnestness—genuine grasp of mind and large intelligence—are Chillingworth's highest characteristics."⁵ He

¹ His perplexity and desire for certainty was displayed in his anxious letter to Sheldon, when he asked "whether it be not evident from Scripture, and Fathers, and Reason; from the goodness of God, and the necessity of mankind; that there must be some one church infallible in matters of faith," and "whether there be any other society of men in the world, besides the Church of Rome, that either can upon good warrant, or indeed at all, challenge to itself the privilege of infallibility in matter of faith." (P. des Maizeaux, *An historical and critical account of the life and writings of Wm. Chillingworth* (1725), 8.)

² Tulloch, *Rational Theology*, I, 271-272.

³ Chillingworth, *Works*, I, 2. Unless otherwise indicated, the eleventh edition (Oxford, 1838) has been used.

⁴ Thus he was not willing "to take any thing on trust, and to believe it without asking myself why; no, nor able to command myself . . . to follow, like a sheep, every shepherd that should take upon him to guide me; or every flock that should chance to go before me: but most apt and most willing to be led by reason to any way, or from it, and always submitting all other reasons to this one—God hath said so, therefore it is true." (*Works*, I, 2-3.)

THE LAYMEN AND THE MODERATES

faced squarely every problem which confronted him and drove to its conclusion with fearless integrity and resolution. He remained generous and charitable to his bitterest opponents, and his pages reveal a remarkable and almost cloistered calmness. He was thoughtful and deliberate, and his argument mounts up with an almost overwhelming weight of logic and proof. Hallam has said that "his style, though by no means elegant or imaginative, has much of a nervous energy that rises into eloquence."¹ His expression is masculine in its quality, gains nobility from the character of his thought, and lends conviction and a certain sternness to his thought. His style was by no means without serious faults. In his greatest work, which was a chapter-by-chapter reply to a controversial book, his relentless pursuit of his adversary led him into monotonous repetitiousness and faulty organization of his material. His sentences are occasionally long and diffuse, and his meaning is not always clear.

In discussing the general character of Chillingworth's thought, it should be emphasized that his consideration of toleration was highly abstract and metaphysical. Thus he has very little to say concerning the place of the Church in the State or the relations of dissenting groups to the Established Church and the State—problems which pressed for a solution in his day. He arrived at toleration by broadening the limits of the Church so as to include all Christian groups, a position which may be said to constitute the essence of Latitudinarianism. From this point of view the troubles and dissensions which beset the English Church and the hostility with which the various Christian communions viewed each other could be regarded as petty and irrational. Chillingworth's religious philosophy was couched on so high and objective a plane that he failed to appreciate the fanaticism with which men in England had embraced rigid doctrinal and ecclesiastical systems, for which they were even then preparing to die unless some system of accommodation could speedily be devised.

Chillingworth followed Falkland in denying most explicitly the claim of the Roman Church, or of any other Church, to

¹ Hallam, *Constitutional History of England*, I, 481.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

infallibility of judgment in religion.¹ It should be recalled that every established religious system in Europe at the time claimed precisely this authority and that the power to persecute can be argued only if this claim can be sustained. The Latitudinarians in England and the Arminians in Holland were to contribute greatly to the criticism of this tenacious teaching which lay at the very centre of ecclesiastical authority. Chillingworth returns to it again and again, and his denunciation of the doctrine was both keen and savage.

It may be granted, he admitted, that there will always be a Church infallible in the fundamentals of faith, but this is not to say that it has been given to any Church to be *the* infallible guide in fundamentals.² "The true church always shall be the maintainer and teacher of all necessary truth . . . for it is of the essence of the church to be so. . . . But as a man may be still a man, though he want a hand or an eye, . . . so the church may be still a church, though it be defective in some profitable truth."³ Thus the Roman Church is a true Church in which salvation may be found, though it has been corrupted by many gross errors,⁴ just as there are other Churches in full possession of the fundamentals. The Roman Church denies the possibility of salvation to men in all other Churches, and imperiously demands that its members believe as it shall

¹ Some mention may be made of the controversy which provoked the *Religion of Protestants a safe way to salvation*. In 1630 Edward Knott (i.e., Matthew Wilson), a Jesuit, had published his *Charity mistaken, with the want whereof Catholics are unjustly charged*, which argued that save in exceptional circumstances salvation was not obtainable for Protestants. Three years later he was answered by Potter, the Provost of Queen's College, Oxford, in his *Want of Charity justly charged in all such Romanists as dare . . . affirm that Protestancie destroyeth Salvation*. Knott replied in 1634 with his *Mercye and Truth; or charity maintayned by Catholiques*. At this point Chillingworth undertook the defence of Protestantism, withdrawing to Great Tew to begin his task. His plans were well known, and Knott attempted in 1636 to destroy his influence by a pamphlet accusing him of apostacy and Socinianism. Chillingworth completed his work in 1637, and after it had been reviewed by the ecclesiastical authorities it was published in Oxford in 1638. A second edition appeared later in that year, and there were subsequent editions in 1664, 1674, 1684, 1687, 1704, 1719, 1722, 1727, 1742, 1752, 1820, and 1838.

² Chillingworth, *Religion of Protestants, Works*, I, 350. ³ *Ibid.*, I, 399.

⁴ Chillingworth, *An answer to some passages in Rushworth's Dialogues, Works*, III, 400-401.

THE LAYMEN AND THE MODERATES

require. It does this despite the fact that a man can certainly believe nothing unless it is self-evident, or unless he is in possession of such certain reason that he enjoys an infallible guide to belief.¹ The doctrines of the Roman Church, since there is dissent from them, are by no means self-evident, and hence it is driven to submit proof of its claims to infallibility. Spiritual men cannot accept the proof which Rome usually offers: "the Church of Rome is certainly infallible, because she herself says so; and she must say true, because she is infallible."² The intolerant claims which she makes can be sustained only by the Bible, which all Christians accept as the foundation of faith. If God had intended Rome for such an important role, He would certainly have so indicated very clearly in the Bible.³ Since no such proof can be adduced from Holy Writ, the claim of Rome stands unsustained.

It would follow, therefore, that men regard the Church as infallible simply because they desire an infallible guide in religion. They have erected a system in the light of their own desires. Even when men accept the infallibility of Rome they do so by the exercise of their private judgment.⁴ The Roman Church has not pronounced consistently even on the most important matters of doctrine, for its leaders and Fathers have been in the sharpest difference of opinion. On neither Biblical nor historical grounds can it advance the slightest claim to an infallible authority. Men have embraced Catholicism for precisely those reasons that have led them to adopt other religions, some because of chance, some because of reverence for its antiquity and good works, some because they were born in it, and others because it happened to be the religion of their country.⁵

If God had given men an infallible human guide in religion, the problems which confront the world would be simple. But

¹ Chillingworth, *A Discourse against the infallibility of the Roman Church, Works*, III, 307.

² *Ibid.*, III, 309.

³ "Certainly he would have said so, very plainly and very frequently; . . . but he does not say so, no, not as much as once, nor any thing from whence it may be collected with any sure or firm consequence; therefore if it be not certain, certainly it is very probable he never meant so." (*Ibid.*, III, 314.)

⁴ Collins, W. E., ed., *Typical English Churchmen from Parker to Maurice*, 41.

⁵ Chillingworth, *Religion of Protestants, Works*, I, 192-193.

God has conceived man in a nobler frame, and has made him responsible for the working out of his own salvation. Those who desire an infallible spiritual authority yearn for an easy way, seeking to transform what is in fact a personal responsibility into an institutional responsibility. The dream of unity which lies behind a coercive spiritual authority cannot be realized because of the intense individualism which happens to be the root of religion. We could, indeed, "wish heartily that all controversies were ended, as we do that all sin were abolished, yet we have little hope of the one or the other until the world be ended: and in the meanwhile think it best to content ourselves with, and to persuade others unto, an unity of charity, and mutual tolerance; seeing God hath authorized no man to force all men to unity of opinion."¹

The doctrine of exclusive salvation, Chillingworth maintained, has been most largely responsible for the intolerance and destruction of which men have been guilty in the name of religion. These evil forces have resulted from an imperious and tyrannical spirit on the part of the clergy and they have destroyed the finer spiritual unity of the Church. We have forced men to accept our own imaginations and theories, thereby provoking schism and bloodshed. The only infallibility is to be found in the leadership of Christ, and Chillingworth gravely warned Catholics and Protestants alike of the awful presumption of denying that leadership. God has set forth His saving promises clearly in His Word, and has given to every man the capacity and the obligation to find faith there. The clergy have been guilty of wracking these truths and have sought to erect their own interpretations into a system which would enslave men's spirits.² We must be "willing to leave all men to their liberty, provided they will not improve it to a tyranny over others."³ Peace and charity can be attained and

¹ Chillingworth, *Religion of Protestants*, *Works*, I, 216.

² "I say then, is it not desperate madness for a man to shew such hatred and abomination at these comfortable and gracious professions of God, that he can be content to spend almost his whole age in contriving and hunting after interpretations utterly contradicting and destroying the plain, apparent sense of those scriptures; and will be glad and heartily comforted to hear tidings of a new-found-out gloss, to pervert, and rack, and torment God's holy word?" (Chillingworth, *Works*, III, 145.)

³ Chillingworth, *Religion of Protestants*, *Works*, I, 403.

THE LAYMEN AND THE MODERATES

the wounds of the Church healed only when men are not disposed to make the road to heaven narrower than Christ made it, or His yoke heavier than He made it.

Chillingworth gave eloquent expression to the Latitudinarian ideal of unity when he wrote, "If instead of being zealous papists, earnest Calvinists, rigid Lutherans, they would become themselves, and be content that others should be, plain and honest Christians; if all men would believe the Scripture, and freeing themselves from prejudice and passion, would sincerely endeavour to find the true sense of it, and live according to it, and require no more of others but to do so; nor denying their communion to any that do so, would so order their public service of God, that all which do so may without scruple, or hypocrisy, or protestation against any part of it, join with them in it: who doth not see, that seeing . . . all necessary truths are plainly and evidently set down in scripture, there would of necessity be among all men, in all things necessary, unity of opinion? and, notwithstanding any other differences that are or could be, unity of communion, and charity, and mutual toleration?"¹ Such a loose and comprehensive doctrinal conception would, of course, have the effect of destroying all rigid systems of dogma. But this Chillingworth accepted as a priceless boon. Inflexibility and intolerance have been most largely responsible for schism and heresy. The Church has been divided and good men have been driven from it by zeal and orthodoxy—by those men who have sought to improve upon the basis which Christ ordained for His Church. They are men who "talk of unity, but aim at tyranny, and will have peace with none but with their slaves and vassals."² These men have forgotten that it does not matter by which road men go to heaven, so long as they follow a true road.³

The distrust which Chillingworth displayed towards doctrinal systems and ecclesiastical authority bears evidence of both sectarian and Arminian influences. His views were rooted in a complete acceptance of the right of private judgment and in an unlimited faith in the power of human reason. He regarded all doctrinal formularies as at best nothing more than

¹ Chillingworth, *Religion of Protestants, Works*, I, 404.

² *Ibid.*, I, 405.

³ *Ibid.*, I, 406.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

an intimation of saving faith, reserving to his own intelligence the unlimited right of criticism and decision. This point of view was admirably displayed when during the period of his labours on the *Religion of Protestants* he was offered preferment in the Church of England but declined on the grounds that he could not subscribe to the Thirty-Nine Articles.¹ He objected that the Articles were over-rigid in imposing the Athanasian in addition to the Nicene and Apostles' Creeds. He held, too, that "it was a great presumption in any man, thus to confine God's mercy," and that in his view the damnatory sentence imposed by the eighth article tended to create animosity and schism.² Most striking of all, he held that he was quite unconvinced that Arianism should be regarded as a damnable heresy, pointing out that in the finest age of the Church the Arians had been regarded as worthy members. He was convinced that the Church of England was a true Church wanting "nothing necessary to salvation," but he could not accept her over-emphasis on creed or her tendency to impose a precise doctrinal system "on men's consciences, much like that authority which the Church of Rome assumes."³

The Church, Chillingworth alleged, gained the confidence of mankind and then betrayed that trust by promulgating an exclusive doctrinal system which it has since defended and prosecuted by selfish and intolerant means.⁴ The Church has been exalted above the Bible as the judge in spiritual controversies. The clergy have suggested in essence that Christ was not able to express Himself plainly or perfectly and they

¹ Chillingworth, *Religion of Protestants, Works*, I, 30.

² Des Maizeaux, *Life and writings of Chillingworth*, 81.

³ These sentiments had been expressed in a letter to Sheldon, who was urging him to enter the Anglican ministry. Sheldon was persistent in his efforts, and two years later Chillingworth relented with the understanding that he was persuaded that the doctrinal system of the Church was "so pure and orthodox, that whosoever believes it, and lives according to it, undoubtedly he shall be saved; and that there is no error in it which may necessitate or warrant any man to disturb the peace or renounce the communion of it." This, according to his understanding, was all the Church required in demanding subscription, and this much only could he admit without the sacrifice of his principles. (*Religion of Protestants, Works*, I, 35.)

⁴ *Ibid.*, I, 157-158. Chillingworth is here attacking the Roman Church, but it seems clear that his strictures would apply to all rigidly enforced doctrinal systems.

THE LAYMEN AND THE MODERATES

have accordingly sought to improve the Lord's own conception of His Church and ministry. Chillingworth would destroy the power which the clergy have thus arrogated to themselves and return to the true Protestant principle "that every man is to judge for himself with the judgment of discretion, . . ."¹

Chillingworth had denied to the Church or to any other earthly power the right to frame or order the religious belief and practice of any human being. At the same time, he pointed out that the writings of the Fathers were at best little more than advisory. They had disagreed and had, in many instances, contributed to the erection of the tyrannous ecclesiastical power which the author so vigorously opposed. Nor would he allow to the General Council any binding judgment in religious matters. No authority may be permitted to intervene between the individual and his God, since man learns God's truth and will by the exercise of reason in the sheltered calm of his private judgment.

Chillingworth gave the fullest statement of his devotion to rationalism in his discussion of his own youthful religious experiences in his *Additional discourses*. He wrote that he had been reconciled to Rome because he believed that there must be some Church in the world that could not err. He was discouraged in his initial quest for truth, and the appreciation of the difficulties which he faced led him to seek shelter in that certainty which Rome professed to offer.² He observed by a process of elimination that all other Churches disclaimed such infallibility, and he felt that the Church of Rome must therefore be the true Church.³ Thus he was led to Rome by a rationalism which, while weak, retained the element of free choice. Upon his entrance into the Roman Church he retained his independence of judgment and did not abandon the search for truth. He soon discovered that the pretensions of Rome to infallibility were in fact not sustained by the Bible and that this claim had been employed by Rome as a justification of persecution. He entered the Church of Rome by the way of

¹ Chillingworth, *Religion of Protestants, Works*, I, 167.

² Hunt, John, *Religious Thought in England from the Reformation to the end of last century* (L., 1870-1873), I, 375.

³ Chillingworth, *Additional discourses, Works*, III, 386.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

reason and left it by the same way, continuing his quest for religious truth unhampered by the prescriptions of authority. From the first, therefore, religion was to Chillingworth a subject for free, honest, and persevering inquiry. It was, as Tulloch has so well expressed it, "his special characteristic to inquire till he reached some basis of principle on which he could rest in the full light of his own luminous reason."¹

This view was further emphasized in his letter to Lewgar, who had accused him of apostacy. Chillingworth replied that if Lewgar regarded him as an heretic he had wished upon himself the difficult task of proving that he stood condemned by his own judgment, "which I know I am not, and therefore think you cannot." Chillingworth declared that he had done no more than to attempt with all of his power of understanding to find true religion and to embrace that belief which he regarded as true. He inquired, "Is it a crime to employ all my reason upon the justification of the infallibility of the Roman Church; and to find it impossible to be justified?" He solemnly averred that he had weighed the reasons for and against Rome with a complete suspension of judgment and had forsaken her only when he found her wanting.² It is only when a man casts off the restrictions of authority that he can advance in the quest for truth. Authority and tradition have been used to bind men to their errors and have hindered the progress of God's Kingdom.³ Chillingworth would cite his own religious progress in proof of this contention. He had been guided solely by reason fortified by suspension of judgment. Any man who honestly pursues truth will not stand condemned for the errors into which he may fall, any more "than a traveller, who using all diligence to find the right way to some remote city, where he had never been, . . . did yet mistake it, and after find his error, and amend it."⁴ It is wholly unreasonable to assume that any man "that reads the Scripture, and uses all means appointed for this purpose, with an earnest desire, and with no other end, but to find the will of God, and

¹ Tulloch, *Rational Theology*, I, 279.

² Chillingworth, *Reasons against popery, in a letter . . . to his friend Mr. Lewger, Works*, II, 493.

³ Chillingworth, *Religion of Protestants, Works*, II, 258.

⁴ *Ibid.*, II, 259.

to obey it, if he mistake the meaning of some doubtful places, and fall unwillingly into some errors, . . . that a God of goodness will impute such an error to such a man."¹ Indeed, Chillingworth would regard such an experience as spiritually beneficial.² Honest error and honest doubt are evidences of a growth and striving which indicate that a man is gradually emancipating himself from the subjective influence of birth, education, authority, and prejudice.

Chillingworth placed almost complete reliance in the power of reason. In his discussions of the highly controversial topics of his own day his appeal was ever to its judgment. No man should or can be compelled to believe a doctrine repugnant to his reason, nor can faith wholly supplant it. For it is reason that gives us knowledge and faith that gives us belief. Reasonable convictions must undergird all saving faith, since it is by reason alone that we are able to distinguish between truth and error. Above all, we must not so prostitute reason as to believe in a dogmatic system with an infallible faith which we cannot sustain by infallible arguments. In Chillingworth "authority entirely disappears, and the whole fabric of religion is made to rest upon the way in which the unaided reason of man shall interpret the decrees of an omnipotent God."³

Chillingworth's position as a Moderate was greatly strengthened by the remarkable dispassion and objectivity which he exhibited both in academic controversy and in the English religious crisis. We have previously noticed that a sharp distinction must be drawn between the sceptic who views religion dispassionately because his nature is not religious and to whom tolerance therefore presents no problem and the fine objectivity and tolerance which has been attained at rare intervals by men who are by nature deeply religious. Chillingworth belonged to this latter group and, laying as he did the intellectual basis of Latitudinarianism, the moderation of his view and his remarkable ability to suspend judgment were to contribute powerfully to the formation of an intellectual atmosphere in which philosophical tolerance might be achieved.

¹ Chillingworth, *Additional discourses, Works*, III, 389.

² Chillingworth, *Religion of Protestants, Works*, II, 259, and *vide* II, 411-412.

³ Buckle, H. T., *History of Civilization in England* (Toronto, 1878), I, 351.

These rare characteristics were strikingly exhibited in the *Epistle Dedicatory* to the *Religion of Protestants*. The author averred that he had been led to his conclusions, not "partially, or by chance, as many are, by the prejudice and prepossession of their country, education, and such like inducements; which if they lead to truth in one place, perhaps lead to error in a hundred." He has sought to maintain complete objectivity in order to view the questions in controversy between Rome and Protestantism with "the greatest equality and indifference," and to search for the truth in the positions which both sides have maintained.¹ Religion can be sustained and advanced by no other means. For too long authority and persecution have bound men to beliefs which they have not tested by their judgments. No man can attain a perfect faith, but every man can weigh all reasons in the balance of his mind, and then embrace that teaching which is most credible to him.²

Chillingworth did not sacrifice his independence of judgment and his Olympian objectivity even when the outbreak of war had destroyed the Moderate position and had obliged him to embrace the King's cause as the lesser of two great evils. In a remarkable sermon preached before the King at Oxford he displayed clearly his resolute retention of the Moderate position. England, he said, was torn between two violent extremes. On the one hand there were rebels and on the other profaneness and formalism.³ On the one side he saw publicans and sinners; on the other, scribes and pharisees; "on the one side hypocrisy, on the other profaneness; no honesty nor justice on the one side, and very little piety on the other; on the one side horrible oaths, curses, and blasphemies; on the other, pestilent lies, calumnies, and perjury: when I see among them the pretence of reformation, if not the desire, pursued by antichristian, Mahometan, devilish means; and amongst us little or no zeal for reformation of what is indeed amiss, . . ."⁴ The war, he felt, could resolve none of the religious questions which troubled England. During the stress of conflict men are driven into fanatical adherence to particular opinions and passions; the cloistered sanctity of private judgment is violated,

¹ Chillingworth, *Religion of Protestants, Works*, I, iii.

² *Ibid.*, I, 12.

³ Chillingworth, *Sermon I, Works*, III, 13.

⁴ *Ibid.*, III, 14.

THE LAYMEN AND THE MODERATES

and moderation is displaced by blind authority. Chillingworth found himself engaged by the same monster that had destroyed Falkland.

Underlying Chillingworth's devotion to reason and private judgment was his emphasis upon the intensely personal nature of religion. Every man has been made responsible for his own salvation and he cannot transfer that responsibility to any authority, no matter how many assurances of certainty it may provide. The Bible is the sole rule of faith and the only source of truth, but there is no arbitrary authority by which it may be interpreted. God has endowed every man with sufficient capacity to find at least saving truth in His Word. Any man who seeks honestly and patiently to discover God's Will is quite as secure as any visible Church against erring in the fundamentals. God requires no more of any man than that he seek salvation. Nor can any Church deny this liberty, which lies at the basis of religion, without incurring the guilt of "schismatical presumption."¹ No man can escape the necessity of his own salvation. Since men differ in their capacities and judgments, they can never attain the formal uniformity of belief which the clergy demand, but this Chillingworth regarded as by no means reprehensible. "It is better for men to go to heaven by diverse ways, or rather by diverse paths of the same way, than in the same path to go on peaceably to hell."² The Church must be framed flexibly and comprehensively around the fundamentals, establishing complete liberty for diversity. Chillingworth propounded this noble Latitudinarian view when he wrote: ". . . I will take no man's liberty of judgment from him; neither shall any man take mine from me. I will think no man the worse man, nor the worse Christian, I will love no man the less, for differing in opinion from me. And what measure I mete to others, I expect from them again." He declared his conviction that God requires no more of men than "to believe the Scripture to be God's Word, to endeavour to find the true sense of it, and to live according to it."³

The Latitudinarian's view of the right of private judgment

¹ Chillingworth, *Religion of Protestants, Works*, II, 216.

² *Ibid.*, II, 222.

³ *Ibid.*, II, 411.

and the necessity for freedom of thought stands in striking contrast to the orthodox systems of the age. The two great religious groups of the day opposed each other with dissimilar and irreconcilable notions of the means by which salvation could be attained. Catholicism emphasized the institutional aspects of religion and sought to give men the assurance of saving faith under the mantle of an infallible authority. Calvinism proposed the view that men gained saving grace through the miracle of God's inscrutable will. Some men were foreordained to salvation and others to damnation. In neither system did men depend upon their own will, honesty of purpose, or reason. To Chillingworth these views appeared as a travesty upon the will and goodness of God. Men, he argued, are endowed by God with reason and resources sufficient for the attainment of truth. Man wrests from the Bible and acquires through experience a saving knowledge by his own individual effort. The concept which Chillingworth proposed was essentially aristocratic and wholly individualistic. He left man terribly alone, having stripped him of the comforting protection of the Church, tradition, and authority. He detected little good and less assistance in the promulgations of the ecclesiastical systems. The Church could be nothing more than a thoroughly diffuse structure lacking unified and systematic character. Its virtue and its truth depend wholly upon the degree to which the individuals who comprise it have by their own efforts attained truth. It is the creation of Christians for their own edification and the worship of God; it has, as such, no divine authority and no capacity to discover or to order truth for any man.

This argument led Chillingworth to the core of his thought. He had extolled reason, had declared private judgment to be the only possible means by which salvation could be gained, and had denounced all coercion in religious matters. It remained for him to frame the ideal religious structure in which the quiet pursuit of truth might be enjoyed; to examine the process by which men attain salvation; and to consider the problem of the diversity which he had admitted would flow from the individualism implicit in his tolerant system.

Chillingworth shared with the Arminians the view that

THE LAYMEN AND THE MODERATES

salvation was to be gained by the acceptance of the simple fundamental truths of Christianity and that persecution and intolerance might be ended by the acceptance of this position as the basis for unity. These truths have been clearly set out in the Bible, the sole legitimate source of religious authority. They are evident to the judgment and right reason of every man. If earnest men cannot agree upon a doctrine, the very fact of their disagreement constitutes *prima facie* evidence that the question at issue is speculative in nature and may consequently be disregarded.¹ Those things which are necessary to salvation will be accurately and certainly determined by the judgment of all right-thinking men.² God requires no more than that we search for the great principles which are plainly revealed to every open mind in His Word.³ What lies beyond these principles is in its nature uncertain and in its bearing on salvation unimportant. Religion has for too long been constricted by forms and dogmas. If a man should live according to the principles of Christianity, though he had never heard of it or of the Word of God, he would, in the opinion of Chillingworth, be saved. For such a man would have vindicated his belief in the "matter of the Gospel." In this manner the moral heathen through God's mercy shall be saved.⁴

Religion, Chillingworth insisted, was framed by God in such wise that the simplest mind may grasp its fundamentals. Difficulty has arisen from the tendency of a selfish and ambitious clergy to systematize and complicate truth. The Bible is clear on essential matters, and when it is not clear man's natural reason is his only safe guide. God has intended the Bible as the rule of faith, and God (not the Church or the clergy) is responsible for its purity. Christ ordered it preached to all men and we may rest assured that He was certain that its message was comprehensible to all men.⁵ Every man can wrest

¹ Tulloch, *Rational Theology*, I, 325-326.

² Chillingworth, *Religion of Protestants, Works*, I, 113.

³ *Ibid.*, I, 89.

⁵ *Ibid.*, I, 175. He declared that the Bible was "sufficiently perfect and sufficiently intelligible in things necessary, to all that have understanding, whether they be learned or unlearned. And my reason hereof is convincing and demonstrative, because nothing is necessary to be believed but what is plainly revealed." (*Ibid.*, I, 230-231.)

⁴ *Ibid.*, I, 273-274.

the essentials of faith from the Scriptures. Unless we believe "the Holy Ghost and them [i.e., the Apostles] to have been wilfully wanting to their own desire and purpose, we must conceive that they intended to speak plain, even to the capacity of the simplest; at least, touching all things necessary to be published by them and believed by us."¹ And every man has been charged by God with the responsibility of finding and interpreting His truth.²

In this search for religious truth man requires only the freedom of judgment and the openness of mind which Chillingworth had previously vindicated. He had shown that religion meant nothing unless reason remained free. The Church—and he was speaking at this point of the Roman Catholic Church—has sought to enslave reason and to oblige men to "receive the church at a venture." This coercion of conscience has been so paralyzing in its effect that not one man in a hundred can give a credible reason for the faith upon which his salvation depends. Thus "instead of reducing men to particular reasons, you reduce them to none at all, but to chance and passion and prejudice, and such other ways, which if they lead one to the truth, they lead hundreds, nay thousands, to falsehood."³ God will accept no faith which depends upon chance rather than upon intelligent choice.⁴ Every man is required to possess reasonable judgments, subjectively ascertained, as the root of his belief. Reason alone enables man to judge between what is true and what is false, and it alone can place us in a frame of mind fitted to benefit from the divine assistance which God has promised to those who seek Him.⁵ We must abide in the promise of God; if God would have His meaning certainly known, "how could it stand with His wisdom to be so wanting to His own will and end as to speak obscurely?"⁶

¹ Chillingworth, *Religion of Protestants, Works*, I, 233; and *vide also* I, 80-81, 169, 170-171.

² The Scriptures are clear and perfect in necessary doctrines. This being true, "why should it be more necessary to have a judge to interpret it in plain places, than to have a judge to interpret the meaning of a council's decrees, and others to interpret their interpretations, and others to interpret theirs, and so on for ever?" (*Ibid.*, I, 170.)

³ Chillingworth, *Ibid.*, I, 237.

⁴ *Ibid.*, I, 237-238.

⁵ *Ibid.*, I, 247.

⁶ *Ibid.*, I, 248.

THE LAYMEN AND THE MODERATES

Chillingworth held that all Christians who adhere to the fundamental truths of religion are in reality members of the Church Universal. He admitted that the individualism upon which he had insisted would lead to widespread diversity in the extra-fundamental doctrines, but this in no wise distressed him. We may be sure that men will seek truth in good faith since their salvation is at stake. In this matter no other judge can be designated than the individual conscience.¹ The true Church will be framed upon fundamentals which all honest and reasonable men will discover.² The Church will never become truly catholic until it accepts as its ideal this principle of latitude. It must cling to the principle that "Scripture is the only rule of faith; that all things necessary to salvation are plainly delivered in Scripture."³ Consequently the differences which arise in other matters will be of little weight. Diversity of belief in no sense breaks the unity of faith and should not be permitted to break the unity of charity. Christians must be taught to value those high points of faith in which they agree and to "understand that agreement in those ought to be more effectual to join them in one communion, than their difference in other things of less moment to divide them."⁴ The true Church can be regarded as nothing more than the "common profession of those articles of faith wherein all consent; a joint worship of God, after such a way as all esteem lawful; and a mutual performance of all those works of charity, which Christians owe one to another."⁵ We should not be more exacting than God in excluding a man from the communion of the Church for an error which does not deprive him of eternal salvation.

¹ He pointed out that in civil controversies the magistrate possesses both the power and the capacity to judge and to enforce his decisions. But in religious disputes no such authority or ability exists and coercion can do no more than create disseachers. God has left religion free, and "I may hold my opinion, and do you no wrong; and you yours, and do me none: nay, we may both of us hold our opinion, and yet do ourselves no harm; provided the difference be not touching any thing necessary to salvation, and that we love truth so well, as to be diligent to inform our conscience, and constant in following it." (*Religion of Protestants, Works, I, 172-173.*)

² *Ibid., I, 373.*

⁴ *Ibid., II, 58-59.*

³ *Ibid., II, 163.*

⁵ *Ibid., II, 59.*

The definition of the Church here expressed would have been adequate for the quieting of the religious storm in England, for underlying it there was a completely tolerant conception of religion. The ideal which the great Latitudinarian defended was in one sense a logical extension of Hooker's comprehension, and in a larger sense a development of the Arminian attack upon doctrinal orthodoxy. It could be alleged, however, that Chillingworth had been so eager to include all good men in the Church that he had diluted necessary doctrine into non-existence; that the Church of which he wrote would have little form and less discipline; and that he had sacrificed vitality for tolerance. Indeed, it could be argued with reason that he had devoted his efforts to the framing of a religious structure in which tolerance would be possible and that incidentally he had destroyed organized religion. The substance of these accusations becomes even more clearly apparent when we turn to Chillingworth's consideration of those fundamentals which in his judgment formed the basis of religion.

Chillingworth shrank from the task of framing a precise definition of the fundamental doctrines. He appeared to share Episcopius's fear that such a statement would have the effect of giving to the world another creed which might be rigidly interpreted. Moreover, so individual were the requirements of salvation that he doubted whether any man could speak with certainty in this matter. He felt that fundamental doctrines could safely be defined as "such catholic verities as principally and essentially pertain to the faith, such as properly constitute a church, and are necessary in ordinary course to be distinctly believed by every Christian that will be saved."¹ They are beliefs common to all true Christians and are the corner-stone of faith. God has framed His religion for all men, and it follows that the minimum of belief which He demands will be that required of the weakest and most faulty of those who shall be saved. This minimum, Chillingworth held, was very slender indeed, and it is possible that nothing at all may be required of infants, the deaf, and the mad.² It would seem, too, that those who have truly sought God but who have had no oppor-

¹ Chillingworth, *Religion of Protestants, Works*, II, 85.

² *Ibid.*, I, 320.

THE LAYMEN AND THE MODERATES

tunity to hear of Christ will ultimately be rewarded. It may be argued, therefore, that truth is in a sense relative—that that which is required of one man may not be required of another.

Simple belief in the message and the divinity of Christ is all that is required of most men. The circumstances of men's birth, education, and intelligence make it impossible and intolerant to set down a precise catalogue of fundamentals. Such an effort would be quite as unreasonable as endeavouring "to make a coat to fit the moon in all her changes; or to give you a garment that will fit all statures."¹ God requires more of those to whom He has given bountifully and less of those upon whom He has bestowed limited endowments. In general, it may be said that "it is sufficient for any man's salvation to believe that the Scripture is true, and contains all things necessary for salvation; and to do his best endeavour to find and believe the true sense of it: . . ."² The Church would profit most and religion would be most advanced if this tolerant principle, allowing latitude for every man to find God in his own way, were held as the sole basis of unity. The Church, however, has always regarded some system of dogma as necessary for its organization and discipline. These creeds have embodied much that is controversial, have been rigidly imposed, and have divided the Christian world. If creeds are necessary at all, Chillingworth would suggest that the simplest is the best. He urged that the Apostles' Creed contains all of the necessary beliefs. True tolerance and freedom might be achieved if men would only recognize that this Creed comprises the essentials of faith and that all else is mere speculation and opinion.³ In a larger sense, any one of the Gospels contains the fundamentals of faith.⁴ Our salvation depends not upon "knowing absolutely all truth, nay, not all profitable truth, and being free from error; but endeavouring to know the truth and obey it, and endeavouring to be free from error. . . ."⁵ To Chillingworth, it seems evident, the fundamental require-

¹ Chillingworth, *Religion of Protestants, Works*, I, 322.

² *Idem.*; and *vide*, I, 32-33. ³ *Ibid.*, I, 365, 401-411; II, 58-59.

⁴ *Ibid.*, II, 59 ff. Chillingworth regarded the Gospel according to Luke as most perfect. (*Ibid.*, II, 59, 62, 78.)

⁵ *Ibid.*, II, 79.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

ment for the attainment of salvation was the honest and unbiased search for truth. Nothing more is required, and even though we fall into error that error cannot be damnable.¹ For error of opinion is relieved by the antidote of faith.

The unlimited freedom which Chillingworth's relativism and individualism permitted struck deep at the doctrinal rigidity of his age. His position was considerably more advanced than that of the Arminian leaders. They admitted the existence of a body of truth necessary to salvation; Chillingworth came very near to saying that even the fundamental truths could not be exactly defined. He could do no more than define belief in the fundamentals as the honest and dispassionate search for truth, for, he held, any man who so searches will necessarily find saving truth. He regarded the Bible as the sole authority in religion, but at the same time insisted upon the complete liberty of the individual to interpret Holy Writ as his reason should dictate. In the final analysis reason remains the sole judge in religious controversies.

Chillingworth's position would in effect have admitted all professing Christians to the shelter of the Church. He would have destroyed persecution since the *raison d'être* of persecution could not exist in the true Church. He realized that there was much in human nature and more in the traditions of the Church which militated against the acceptance of the tolerance and charity of his conception. He regarded persecution as the weapon which selfish and irreligious men employed to defend their vested interest and to perpetuate their arrogant and warped interpretations of truth. Hence he denounced all coercion and persecution in religion in flaming and uncompromising terms.

¹ Chillingworth, *Religion of Protestants, Works*, I, 365, and *vide* I, 41. In another connection the author argued to the same point. All men who truly and patiently seek the way of salvation in the Bible will surely find it. In lesser matters their education and prejudices will cause them to differ and to embrace error, but to say "that God will damn them for such errors, who are lovers of Him, and lovers of truth, is to rob man of his comfort and God of His goodness." (*Ibid.*, I, 80.) If men do their best to discover God's Truth and to free themselves from error, but fail because of incapacity or human frailty, God will save them no matter how grievously they may have erred. (*Ibid.*, I, 81.) God will not impute an error in a sin so long as man endeavours to learn His will.

THE LAYMEN AND THE MODERATES

Religion has been gravely injured, he wrote, by arrogant men who have used the Holy Scriptures for the support of their own selfish ends. These men have searched the Bible "that they may furnish themselves with some places, which being violently wrested, and injuriously handled," may serve their wicked purposes.¹ The clergy have sought to drive all men into a pattern of thought and belief which they have rigorously prescribed. When pious men resist, persecution follows.² Chillingworth's dislike of the Roman Church was rooted in the conviction that it had been particularly guilty of this species of spiritual coercion. It has deified its own interpretations, and has wronged religion by the "restraining of the Word of God from that latitude and generality, and the understandings of men from that liberty, wherein Christ and the Apostles left them, . . ."³ He charged that the Romanists "boldly intrude into the judgment-seat of God, and damn men for breaking laws, not of God's, but your own making."⁴ They would require men to see things farther than they are visible and to believe things by prescription which are not credible.⁵

Truth, Chillingworth reiterated, can be found only when every man is permitted to seek it freely in the light of his own reason. Any other conception of religion is a travesty on God's Word. Force is completely impotent in religion; it can do no more than maintain the uniformity of a particular State or Church while it destroys the catholicity of religion.⁶ Persecution is the weapon of selfish, cruel, and Machiavellian men, and is fit only for their vile purposes. All men who love Christ and His truth should unite in sturdy opposition to persecution, which is their greatest enemy.⁷ The forcing of men to sacrifice their religion and their souls is too heavy a price to pay for civil quiet and the preservation of doctrinal rigidity. He

¹ Chillingworth, *Sermon III* (on Psalm xiv), *Works*, III, 89.

² ". . . if men accord not altogether with them, if they run not on furiously with them in all their tenets, they are enemies unto God and His truth, and they can find Scripture enough to warrant them to disgrace and revile such, to raise any scandalous dishonourable reports of them, and to poison utterly their reputation with the world." (Chillingworth, *Sermon III*, *Works*, III, 89.)

³ Chillingworth, *Religion of Protestants*, *Works*, II, 38.

⁴ *Ibid.*, II, 323.

⁵ *Ibid.*, II, 327-328, 340-341.

⁶ *Ibid.*, II, 247-248.

⁷ *Ibid.*, II, 248.

declared that there was "no danger to any state from any man's opinion; unless it be such an opinion by which disobedience to authority, or impiety, is taught or licensed; which sort, I confess, may justly be punished . . . or, unless this sanguinary doctrine be joined with it, that it is lawful for him by human violence to enforce others to it."¹

Christ's Kingdom can never be attained, nor will men ever find unity in His truth, until the persecuting philosophy of the Church is completely destroyed. If men should be given freedom, if reason should be unfettered and all restraints removed, the Church might then be united in tolerance and charity around the fundamentals. Chillingworth demanded that Rome and his age forgo "this persecuting, burning, cursing, damning of men for not subscribing to the words of men as the Words of God; require of Christians only to believe Christ, and to call no man master but Him only; . . . take away tyranny, and restore Christians to their just and full liberty of captivating their understanding to Scripture only, and as rivers, when they have a free passage, run all to the ocean, so it may well be hoped, by God's blessing, that universal liberty, thus moderated, may quickly reduce Christendom to truth and unity."²

Chillingworth had made notable contributions to the development of religious toleration. He denied completely the claim of Rome or of any other Church to rule infallibly in spiritual matters. Men have sought to establish a way to salvation which Christ did not ordain, and have endeavoured to shift the personal responsibility for attaining religious truth to institutional authority. The exclusive doctrinal systems which have sprung up in consequence have sought by tyrannous and intolerant means to force men into the spiritual moulds which they prescribe. Men, in their quest for truth, can subscribe to no higher authority than their own reason, and the free exercise of reason must be protected and encouraged if Christ's Kingdom is to be realized. The way of reason is a hard way but it is the only way, and is, in the end, the source of spiritual satisfaction and of nobility of character. God asks no more of

¹ Chillingworth, *Religion of Protestants, Works*, II, 248-249.

² *Ibid.*, II, 38-39.

THE LAYMEN AND THE MODERATES

any man than that he seek truth with an open mind and an inquiring spirit. Chillingworth recurred constantly to the necessity for casting off authority and prejudice and for viewing the conflicting religious claims of the age with dispassion and scepticism. He gave classical defence and vindication to the principle of philosophical tolerance and to the doctrine of the right of private judgment. Even the clash of party passions during the war, which he so deplored, was unable to shake him from the detached and moderate position which he had earlier assumed. He viewed the fanaticism of the protagonists in that conflict with sharp disfavour and regarded the confusion and intolerance of his age with pity and grief.

Chillingworth presented to England a religious ideal which he urged would destroy fanaticism and bind men in the charity of true Christian unity. The principles of Christianity, he argued, are few in number and simple in nature. God has so framed His truth that the simplest and most ignorant men may find at least saving truth. The sum of doctrine upon which reasonable and tolerant men can agree would appear to constitute the fundamentals of Christianity, and all else should be regarded as obscure and unnecessary. Salvation will be made free only when the individual reason is made free. Reason provides the only instrument with which God has endowed man in his search for truth, and no faith which lacks rational demonstration will be acceptable to God. God has ordained that we shall be men and not the creatures of stupid and bigoted authority. The true Church consists of those Christians who agree on fundamental truths. The diversity which will be the inevitable fruit of rationalism was to Chillingworth unimportant and in its effect stimulating. He expressed doubt that any creed should be required of men, for creeds are likely to be tyrannously imposed. He came very near to arguing that it is sufficient for men to seek God honestly and dispassionately. No error into which the inquiring man may stumble can have the effect of destroying his faith. Men achieve differing degrees of truth according to their several endowments and reasons, but it is the quality and temper of their effort to find truth rather than the perfection of their attainments which God uses as the measure of a man.

No man has ever enunciated a loftier or nobler system of tolerant thought. So resolute was Chillingworth's defence of the principle of private judgment and so complete was his devotion to reason that he came to deny the necessity or desirability of doctrinal systems. His conception of the Church was broad and tolerant. He regarded most Christians of all creeds as members of the true Church, and hence deplored the persecution and strife of his day as fratricidal and schismatical. He was the enemy to all ecclesiastical authority and so cut away its reasonable defence that he was able to expose it as tyrannous, stupid, and impious. He exalted dispassion and scepticism, arguing that these states of mind were the noblest of which man was capable and that only when man was in the enjoyment of them was he prepared to receive truth or to advance in its quest. He exposed the barrenness of the pretensions which men had alleged for exclusive systems of dogma and left revealed the rottenness of every pillar which had been erected to support the philosophy of persecution and coercion. His view was broad and his interest theoretical. He therefore disregarded the particular problems of his age, only to resolve them in the larger outlines of his theory. It is this fact which gives to his works a peculiar flavour of timelessness and which, while it contributes to the nobility of his thought, made it so completely objective as to rob Chillingworth of any substantial influence in the determination of the crisis of his own age.

5. JOHN HALES, 1584–1656

The Latitudinarian ideal which Chillingworth had so nobly framed found defence and some amplification in the writings of his older contemporary and friend, John Hales of Eton College. Though considerably older than Chillingworth and Falkland, Hales's writings scarcely began to be published before 1640, and his influence may be said to fall in a somewhat later period than that of his gifted friends.¹ Hales had little interest

¹ We speak only of such of his writings as relate to the question of toleration. His sermon *Concerning the Abuses of Obscure Places* was published in 1617. His treatise *On the Sacrament of the Lords Supper* was probably written earlier than 1637, and the *Concerning the Power of the Keys, and*

THE LAYMEN AND THE MODERATES

in publishing his works and his influence was felt most keenly by the small group of moderate thinkers of which he was so distinguished an ornament.

Hales's quiet and scholarly life was disturbed in 1616 when he went to Holland as chaplain to the ambassador, Sir Dudley Carleton. When the Synod of Dort was convened, Carleton despatched him to act as his observer there and to render detailed reports on the progress of the deliberations. Hales's experiences at the Synod were profoundly to influence his later thought and, indeed, the thought of the Moderate group as a whole. His letters from the Synod¹ indicate that he went there a staunch Calvinist predisposed to condemn the liberal views of the Remonstrants. However, the charity and tolerance of Episcopius's teachings excited his warm admiration early in the session. He was deeply impressed by the Remonstrant position that all those who cleave to the fundamentals of faith should be regarded as true Christians and that men could not be forced to the acceptance of a narrowly and rigidly defined system of dogma.² Hales expressed the view that the cause of truth was being determined at Dort rather by the weight of numbers and authority than by reason and charity,³ and his distaste for the coercive and intolerant attitude of the orthodox majority rapidly deepened.⁴

It was clear to Hales that the Arminians had been pre-judged,⁵ and he left the assembly convinced that doctrinal rigidity and clerical intolerance were the worst enemies of the

Auricular Confession was published in that year. The date of his sermon *Of Dealing with Erring Christians* is unknown, but it probably belongs to the same period. His *Tract concerning schisme and schismatics* was probably written about 1637, but was first published in 1642, with three reprints in the same year. In 1641 was published *The way tovards the finding of a decision of the chiefe controversie now debated concerning church government*. It was not until 1659 that the bulk of Hales's important writings were made available with the publication of the *Golden Remains*. A second edition appeared in 1673, and a third in 1688. In 1765 the collected *Works* of Hales were edited by Sir David Dalrymple in an edition which has become extremely rare.

¹ These letters are available in Hales's *Works* and in the *Golden Remains*. We have used the first and third editions of the *Golden Remains*, as indicated in subsequent notes.

² Hales, *Works*, III, 69.

³ *Ibid.*, III, 73-74.

⁴ *Vide Golden Remains* (1688), 409, 412, 421; and cf. 442 ff.

⁵ Hales, *Works*, III, 100 ff.

Christian Church. As Tulloch has so well said, "Of a calm, reflective, and patient temper—gifted with a shrewd, quiet insight, and a great natural love of fairness—he could not be an auditor for three months of an assembly like that of Dort without feeling that the truth did not all lie on one side."¹ Hales left Dort stripped of all sectarianism and convinced that dogmatism was above all other influences most largely responsible for the contention and intolerance of his age. From that time forward his preoccupation was with the exposure of the cruelty and stupidity of all species of religious coercion. He did not pass in protest to the Arminian camp, but retained an objective and dispassionate position which came to mould decisively his mind and spirit.² As Chillingworth's tolerance had been tempered in the fires of Roman orthodoxy, so Hales's intellect had recoiled from the rigidity of Calvinism. His was to be a slowly evolving faith, while his views were ever tentative and timid in his desire to avoid the error of harshness and intolerance. "He read more than he wrote; he thought more than he said."³ So great was his charity that he often said that he would instantly renounce the Church of England "if it obliged him to believe that any other Christians should be damned; and that nobody would conclude another man to be damned, who did not wish him so."⁴ Chillingworth was to find peace in reason; Hales found it in an all-pervading charity that made him one of the gentlest and certainly one of the most tolerant of the men of his century.

Shortly after his return from the Netherlands, Hales retired to Eton, where he lived in the quiet seclusion of his fellowship until the Civil War overwhelmed him. At Eton he enjoyed association with a kindred spirit, Sir Henry Wotton, who had retired from an active life to the provostship of the college.⁵

¹ Tulloch, *Rational Theology*, I, 191.

² In the words of Tulloch, "When he left the narrowness of Calvinism, he did so not because he became possessed by some other narrowness, but because he saw from a higher field of vision how little dogmatic precision has to do with spiritual truth, and how hopeless it is to tie and confine this truth under definite creeds and systems." (Tulloch, *Rational Theology*, I, 191-192.)

³ Hunt, *Religious Thought*, I, 370.

⁴ Clarendon, *Life* (Oxford, 1842), 929.

⁵ *Vide ante*, 363-364.

THE LAYMEN AND THE MODERATES

He knew Falkland and Chillingworth well and maintained a close and fruitful relationship with a small but important group of friends. His known liberal views were so far distorted that he was popularly regarded as the author of two important Socinian tracts of the period. While there is little evidence that he was the author of the works in question, it is indicative of the temper of his mind that he was so regarded.¹ As the religious struggle became more critical and fanatical in England, Hales tended to withdraw more and more from the conflict. The idea of ecclesiastical strife and contention was repugnant to his nature, and he could do no more than suggest to England the sanity and charity of the Moderate position. He felt that a broad and philosophical tolerance alone could save the English religious structure from disintegration. This position he elaborated with rare common sense, clarity, and deep charity.

Hales reflects the general position of the Moderate group in his defence of reason and private judgment in religious matters. In his reply to Laud's strictures on his *Tract concerning schisme*, Hales made clear his devotion to reason and free inquiry. He declared that if he had been led into error it had been through his reason, and such errors, since they were not wilful, were not dangerous. He averred that from his earliest days he had

¹ The earlier of the two works was the *Dissertatio de pace et concordia Ecclesiae*, which was probably first published in 1628. It was reprinted in 1630 and in 1653, and again in *Phenix*, II, 348 ff., under a variant title. The work was condemned by Parliament in 1654. It was attributed to Hales by Peter Heylyn, *Cyprianus Anglicus*, 361; Samuel Parker, *A Reproof to the Rehearsal Transposed* (1673); and Wood, *Ath. Oxon.* Though the style and the views expressed in the work are by no means dissimilar to Hales's writings, there is very little reason for believing that he wrote it. In particular, it seems clear that the work was written by an author who knew at first hand the horrors of the Thirty Years' War. Tulloch and Gardiner were definitely of the opinion that it was not the work of Hales. The view adopted by Mosheim, the *Biog. Britt.*, and *D.N.B.*, that it was the production of Samuel Przypkowski, a Polish Socinian (1592-1670), seems probable. The work exercised considerable influence in England and will be considered in later pages. (*Vide post*, 431-432.)

The second work, the *Brevis disquisitio*, was first published in 1651, and a translation appeared probably in 1653. This work was reprinted in *Phenix*, II, 315 ff. In this case there can be no doubt that the work was not by Hales. There is no similarity of style, and the tract was evidently the work of a later writer. The B.M. catalogue ascribes it to Joachim Stegman, but it would seem more probable that it was written by John Biddle. This tract will be discussed in a subsequent volume.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

been faithful in the honest pursuit of truth. For truth "I have forsaken all hopes, all friends, all desires, which might biass me, and hinder me from driving right at what I aimed. For this, I have spent my moneys, my means, my youth, my age, and all I have."¹ Hales seemed content to base his life upon this philosophy in the conviction that a dispassionate and earnest search for truth could lead no man into damning error. Man can find himself by no other means—all prejudice, passion, and external authority must be stripped away, and man must proceed *de novo* towards the attainment of saving truth.

We have for too long been deluded by the belief in the necessity for an institutional or external infallibility. "An infallibility there must be; but men have marvellously wearied themselves in seeking to find where it is."² Every faction has laid intolerant claim to infallibility of judgment and consequently men believe that they have found religious truth in that faction of the Church in which chance has placed them. There is a mocking irony in this desperate striving to create some external infallibility, for the only possible source of religious authority is to be found in the individual mind. To every person "of what sex, of what rank or degree, and place soever, from him that studies in his library, to him that sweats at the plough-tail," has been given the right and the capacity to find religious truth.³

God has granted us reason in order to emancipate us from the reason of other men. The prescriptions of authority must be subjected to the review and criticism of the individual reason, for we are commanded to know not only what we believe but why we believe it. To force man to take his faith at the command of authority is to reduce him to bestiality. We must subject every claim and teaching of the Church, as well as of its leaders, to the close and cool examination of reason if our faith is not to hang upon the thread of chance.⁴ It is

¹ Hales, *A letter . . . to Arch-bishop Laud, upon occasion of his tract concerning schism* (1721 ed.), 36.

² Hales, *Works*, III, 149.

³ Sparkes, Jared, *A Collection of Essays and Tracts in Theology* (Boston, 1825), V, 51–52. A number of Hales's sermons and tracts are to be found in this collection.

⁴ *Ibid.*, V, 54–56.

THE LAYMEN AND THE MODERATES

not credible "that a man should be possessor of so goodly a piece of the Lord's pasture, as is this light of understanding and reason, which He hath endued us with in the day of our creation," if we are not to till and employ it in our own way.¹ It is unnatural and incredible that in so important a concern as salvation any man could prefer the judgment of another to his own.²

Every man has been made responsible by God for his own salvation, and the Bible and the Holy Spirit have been given to us as infallible guides.³ We must guard jealously the liberty which God has bestowed upon us. The clergy have even sought to restrain and destroy the right of private judgment and to confine saving truth to patterns of their own creation.⁴ But the Christian may remain sure that when the will of God is clear there can be no disagreement concerning essentials, and when His will is uncertain no authority can be alleged beyond the judgment of the individual reason enlightened by the revelations of the Holy Spirit. When men or Churches rule rigidly in such questions, faction and intolerance are advanced. Intolerance has its seat in the disposition of men violently to "deal with Scripture as chimists deal with natural bodies, torturing them to extract that out of them which God and nature never put in them."⁵ The clergy have been particularly guilty of suppressing the freedom of critical reason because they fear the loss of their own dignities, though they profess to be distressed by the clamour of investigation and disagreement. Hales suggests, however, that the "uproar of searching minds" is indicative of health in religion and of vitality in the quest for truth.

Hales asserted, without the slightest reservation, the right of private reason and judgment.⁶ We should accept as funda-

¹ Sparkes, *Collection of Essays*, V, 55.

² "Indeed I know not how it comes to pass, we account it a vice, a part of envy, to think another man's goods, or another man's fortunes, to be better than our own; and yet we account it a singular virtue to esteem our reason and wit meaner than other men's." (*Ibid.*, V, 56.)

³ *Ibid.*, V, 132 ff.

⁴ *Ibid.*, V, 52.

⁵ Hales, *Golden Remains* (1688), 3.

⁶ Scott, Nancy E., *The Ever Memorable Mr. John Hales, Harvard Theological Review*, X, 253.

mental those truths upon which men can agree, reserving the right to dissent when either reason or the guidance of the Holy Spirit instructs us differently.¹ The imposition of an external authority upon the Christian's spirit is an unwarrantable evil destroying the foundations of faith and sapping the vitality of religious life. Man can grow in spiritual stature only when his relationship to God is immediate, when he seeks for truth calmly and without interference, and when his faith is vindicated by the rational approval of his own mind.

The bigotry and intolerance of the orthodox majority at Dort made an indelible impression upon Hales's mind. In this view the clergy had sought to safeguard their vested interests by the imposition of a spiritual tyranny upon the Church. His usual sweet temper deserted him when he contemplated this abuse of the spiritual office. Clarendon wrote that Hales was an enemy to the Romanists "more for their imposing uncharitably upon the consciences of other men than for the errors in their own opinions." Protestantism has even less cause to embrace this species of intolerance since it sprang up as a great protest against the intervention of an oppressive authority between man and God. If, then, Protestantism sets up its own glosses it does nothing less than "to pull down Baal and set up an Ephod; to run around and meet the Church of Rome again at the same point in which first we left her."² Because of his fear and detestation of clerical tyranny Hales leaned far in the direction of Erastianism in seeking safeguards for private judgment. He placed all jurisdiction, which he defined as the "power to make laws, to command, to null, to restrain, to hear and determine doubts," in the hands of the civil authority.³ The clergy have succeeded in impinging upon this jurisdiction and have employed an illegal authority for the advancement of their own selfish interests.⁴ Neither the visible Church nor the clergy has any coercive authority whatsoever. Religion must be restored to its free and spiritual nature if it is to be preserved.⁵

Hales taught that complete freedom of private judgment

¹ Hales, *Golden Remains* (1688), 24.

² Hales, *Works*, II, 36.

³ Sparkes, *Collection of Essays*, V, 141.

⁴ *Ibid.*, V, 145.

⁵ Cole, Taylor, *John Hales of Eton College* (unpublished MS.), 23.

THE LAYMEN AND THE MODERATES

offered no threat to the unity of saving faith since the fundamentals are clearly revealed to the inquiring spirit. He held that the dogmatic and ritualistic differences separating the Christian communions were not in fact differences in the fundamentals of faith. The accusations of heresy and schism have been conjured up in order to insulate inflexible and tyrannous doctrinal definitions from the criticism of reason. All Church systems are disposed to add their peculiar views to the foundations of faith which they possess and to impose these peculiarities upon men by coercion. The common failing of Christians has been to seek to know more than God has revealed. The clerical leaders have "peremptorily concluded, and confidently impos'd upon others, a necessity of entertaining conclusions of that nature; and to strengthen themselves, have broken out into divisions and factions, opposing man to man, synod to synod, till the peace of the Church vanish'd, without all possibility of recall."¹

This intolerance has destroyed the unity which in reality exists amongst Christians. The fundamentals of faith are clearly set forth in the Bible and are adhered to by the Christian Churches.² They are so self-evident that there is no need to catalogue them; it is much more profitable to strip away the schismatical accretions which have grown up around them. That which has not been clearly and infallibly revealed is in its very nature unnecessary and not worthy of speculation, and will possess nothing more than negligible importance so long as we do not attempt to enforce a private interpretation upon other men.³ Neither reason nor revelation is competent to clarify what Christ in His wisdom has reserved from our knowledge.⁴ We could easily gain the unity of faith which

¹ Hales, *Tract concerning schisme and schismatics*, in Tindal, M., *Defence of the rights of the Christian Church* (1709), 253-254.

² *Ibid.*, 255.

³ Scott, *The Ever Memorable Mr. John Hales*, *Harv. Theol. Rev.*, X, 254.

⁴ Hales shared Lord Herbert's distrust of revelation as a means of adding to our knowledge of fundamental truth. Both men assigned to revelation the narrow efficacy of illuminating the mind of the individual Christian. Since the individual cannot possibly demonstrate the validity of his revelation, the knowledge thus gained has no more than subjective significance. Lord Herbert's views on this question were more highly developed than those of Hales (*vide post*, 440 ff.), but rested upon the same sceptical spirit.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Christ requires if the doctrines and services of all Churches were stripped of those elements which offend other pious and charitable Christians. The common remainder would probably represent the true Christian faith. Such a programme would at once destroy the bigotry and intolerance which have ravaged Christianity and would bind all Christians in a true catholicity of faith and worship.

After this remarkable discussion of the fundamentals of faith, Hales undertook to define more exactly his conception of the Church. Underlying his thought was the view that dogmatic differences were not religious differences and should therefore not be allowed to break the unity of the Church. The fundamentals to which the Church clings have been determined by reason and private judgment, and the Church may properly be extremely jealous in the defence of those instruments upon which its very perpetuation depends. "It was not difference of opinion which the Church had to fear, but the hardness and perversity of will which turned such difference into a cause of unchristian estrangement."¹ These evils can never be avoided unless Christians, with their attention focused solely on the fundamentals, define the Church with sufficient latitude to include all pious and truth-seeking men.

Hales boldly announced that by the Church he understood "all factions in Christianity; all that entitle themselves to Christ, wheresoever dispers'd all the world over."² The fundamentals are so clearly delineated in the Bible that it is inconceivable that any man or Church seeking to walk aright and to find this truth can possibly err grievously.³ Thus the Church of Rome, which Hales disliked, cannot conceivably be charged with error in the fundamentals of faith—her sin lies in "entertaining in herself, and obtruding upon others, a multitude of things for fundamentals, which no way concern our faith at all."⁴ He suggested, in a remarkable passage, that since it had never been proved that Arianism was wilfully held, and therefore an heresy, the Arians should be regarded as weak but

¹ Tulloch, *Rational Theology*, I, 224.

² Hales, *On the Sacrament of the Lord's Supper*, in Tindal, *Defence*, 216.

³ *Ibid.*, 223.

⁴ *Ibid.*, 223-224.

THE LAYMEN AND THE MODERATES

true Christians.¹ And the mantle of the Church should be extended even further to include those men of upright character who know little or nothing of Christ's teachings. Thus the "famous ethnicks" of former times clearly accepted God's moral laws and earnestly sought truth, and, in so far as they acted in good conscience, they should be regarded as Christians. So long as Christianity is conceived in this broad and tolerant sense, the form of government and organization of the particular sects which constitute the Church is a matter of small concern. Each communion should dedicate itself to the conviction "that the Father hath sent His Sonne to us, and that the Father loveth the beleevers as He loveth His Sonne."² Consequently these believers and all seekers after truth should be provided with a framework wherein they may improve themselves in grace and seek further enlightenment. Hales suggested that the Church of England might admirably serve these ends if it could only be brought to define itself with sufficient latitude. But its spiritual leaders must acquire a larger sense of their mission; they must promote tolerance rather than rigidity; they must "apply themselves rather to heale than to exasperate sores, rather to build up then to pull downe."³ Only then will that fragment of the catholic church which men call the Church of England contribute to the true definition and furtherance of its end and mission.

This noble definition of the Church was advanced by Hales as the plea of a Moderate anxious to prevent the devastation of a religious war. He would have resolved the jarring clash of religious dogmatism in England by destroying the reason for rigid dogmatic systems. His religious philosophy led him to propose the inclusion of all good and truth-seeking men in the Church of Christ and to recoil with horror from the prospect of war and persecution which he could only regard as fratricidal and incredibly stupid. His solution would have amounted to

¹ Hales, *Tract concerning schisme and schismatics*, Tindal, *Defence*, 254. Hales does not develop this point as fully as we should desire. When it is recalled, however, that this tract was published in 1642 and that he had long been under suspicion of Arianism, his courage and resolution appear very remarkable indeed.

² (Hales), *The way towards the finding of a decision* (1641), 7.

³ *Ibid.*, 42.

the swallowing of the warring sects, whose differences were not fundamental, within the broad bosom of the Church which he had defined. He was greatly influenced, as were all of his group, by the comprehensive ideal which Elizabeth had advanced and to which Hooker had given classical defence. At the same time, Hales was the defender of no ecclesiastical system, and his conception of the Church and his theory of toleration rested upon an Olympian objectivity and a rare charity which, regrettably, found little support in the England of his day. He would have solved the problems of persecution and intolerance by so enlarging the bounds of the Church as to include all the sects within it. It was therefore unnecessary and illogical for him to propose a toleration of the dissenting sects. This would have been tantamount to a denial of his whole philosophy. Toleration was eventually to come in England through the legal definition of permissible areas of dissent; Hales had proposed a nobler and more philosophical solution which could never be accepted save by an aristocratic few who had withdrawn so far from sectarian strife and partisan preoccupation that their piety was suspect to the godly.

Hales's intelligence was abstract and metaphysical, and his contribution was largely confined to a consideration of the more general problems then confronting the Christian world. He rarely spoke specifically, partly because of the generality of his interest and partly because of his great aversion to dogmatic statement. So deep-seated was his detestation of persecution, however, that upon this question he spoke repeatedly and in no uncertain terms.

Christian courtesy, he held, must be extended to all sorts and conditions of men—to the infidel, to the gross sinner, and to weaker Christians.¹ Weak men are likely to bring forth the worst errors, and the very fact of their infirmity disposes them to defend their views with the greatest violence and harshness. It is very difficult indeed to defend that which we love with weapons of gentleness and moderation, yet the very nature of religion requires that these shall be the instruments of its defence.² We must estimate the weaknesses of other men by our own infirmities. If we account the mistakes which result

¹ Hales, *Golden Remains* (1659), 50.

² *Ibid.*, 52–53.

from human fallibility as heresy, then every man stands condemned as an heretic. Men, by their very nature, are prone to err, but heresy arises only when such error is wilful, and that is very rare indeed.¹ No man, no church, and no council can justly claim infallibility. So long as men seek truth honestly and dispassionately it is impossible that they can fall into damning error.²

The possibility of heresy does exist, and the Church should be armed against it. But the heretic should be treated charitably and led to regard his conceit as an opinion rather than as a fundamental truth. If this can be accomplished, the heresy at once becomes nothing but an error. It must be emphasized that heresy is very rare since it presumes that the heretic wilfully holds an opinion contrary to the foundations of faith, that he is conscious of the fact that his opinions are so in error, and that he persists in teaching those opinions.

Persecution has arisen because of the false view that all men can and should be reduced to a unity of opinion. Far more dangerous to the Church than diversity of opinion is the intolerant disposition to force men into rigidly defined dogmatic systems. If a large latitude of belief is permitted to all men, the rival sects may in time arrive at the realization that they have always been in substantial unity in the fundamentals.³ The Church will then realize that, since faith is subjective and since truth must be defined in terms of the individual, it cannot possibly distinguish between heresy and error. In the early and purer days of the Church this view prevailed. Persecution insinuated itself into the Church because of the confusion between the spiritual and the civil jurisdictions.⁴ No possible

¹ Hales, *On the Sacrament of the Lords Supper*, Tindal, *Defence*, 217.

² He who seeks God in this manner cannot err, or, if he does, "it is with as little hazard and danger as may be, which is the highest point of infallibility, which either private persons or churches can arrive unto." (*Ibid.*, 221.)

³ Hales, *Golden Remains* (1659), 55-56.

⁴ Hales was particularly pleased with the moderation which the Church of England had displayed towards the Romanists. He was convinced that "had they not been stickling in our state-business, and meddling with our princes crown, here had not a drop of their blood fallen to the ground." (*Golden Remains* (1659), 58.) He made the interesting proposal that the Catholics should be compelled to no greater conformity than worship with the Church of England in those prayers and rites common to both Churches.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

justification for persecution, even of heresy, can be found in the Bible, in the history of the Church, or in natural reason. Persecution is a hideous error which has been most largely responsible for the widening of the differences which now separate the Christian communions, and it has all but destroyed the freedom and latitude constituting the foundations of Christianity.

In summary, Hales reflected more clearly than any other English thinker of his generation the tolerance and breadth of view of the Arminians. He was able to free himself of all traces of sectarianism and to attain a matchless objectivity and sweetness of temper. His thought was highly philosophical, tinged always with a gentle irony. His rare dispassion placed him so far above the warring factions of his day that his immediate influence was slight. He taught that men might find religious truth by no other means than their own reason illuminated by revelation, and that the judgment of the individual constituted the highest court of appeal in questions of faith. To suppress this freedom is to stultify the vitality of religion and to condemn man to bestiality. If the individual reason is allowed free scope, it will be observed that the fundamentals of Christianity are clear and simple, and all reasonable men will then accept them. In all other matters there will be diversity, and such differences of opinion will be salutary and stimulating to the Church and to faith. The Church consists, in the truest sense, of all men who earnestly and conscientiously seek God, without regard to the sect into which the accidents of time and circumstance may have placed them. When Christianity realizes that this unity has in fact always existed, it will disown forever the persecution, the cruelty, and the fanaticism which have for so long disgraced it.

6. GEORGE WITHER, 1588-1667

Our discussion of the thought of the Moderate group may fittingly be concluded with an examination of the works of George Wither, one of the strangest and certainly one of the most completely misunderstood men of the seventeenth century. Wither, a native of Hampshire, entered Magdalen

THE LAYMEN AND THE MODERATES

College, Oxford, in the year of James's accession. At Oxford he was regarded as stubborn and contentious, and he left the university before taking his degree. After a short stay in the country he entered Lincoln's Inn to pursue the study of law. His first considerable work, *Abuses Stript and Whipt* (1613), offended so many classes and interests that Wither was committed to prison for several months.¹ Seven years later his *Wither's Motto* was deemed libellous and the poet renewed his acquaintance with Marshalsea prison. Wither has usually been regarded as a Puritan fanatic, but there is in fact almost no evidence to indicate that he had any sympathy with the Puritan camp before 1642, and thereafter he must certainly be regarded as a Moderate with no sectarian inclinations. He was given a minor clerkship under the Protectorate, and with the Restoration was once more thrown into prison.

Wither maintained with complete impartiality his chosen position as critic at large of every Government and religious order under which he happened to live. He never tired of pointing out England's moral and spiritual degeneracy in interminable verse which invariably predicted immediate chaos and ruin. Yet it is a grave mistake to brand Wither a chronic rebel and grumbler. As Previté-Orton has well said, he was in reality an honest and fair-minded man, unassuming in temper, and constantly devoted to toleration and moderation.² He differed from the other Moderates of his day in his determination to wage a crusade for the principle of moderation, and it is this fact which accounts for his having "lived under eleven different forms of government," managing "to be more or less at loggerheads with them all."³

Wither entertained a rather pessimistic view of human nature, holding that most men's faith rested upon chance and irrationality. For that reason men are swayed by the slightest wind of change. This fact affords a breeding ground for faction and party strife. The poet constantly recurs to this thesis of the uncertainty and frailty of man:

¹ Courthope, W. J., *A History of English Poetry* (1920-1926 ed.), III, 318.

² Previté-Orton, C. W., *Political satire in English poetry*, 61-62.

³ Fyvie, John, *Some literary eccentrics*, 244.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

“Try him a month, a year, an age, and when
You have so tried him, say, what is he then?
Retains he either unto Praester John,
Or else unto the Whore of Babylon?
If that you know not which of them to grant,
Is he a Brownist or a Protestant?
If in an age you cannot find out whether,
Are you so much as sure that he is either.”¹

During the Civil Wars he suggested that the divisions which had broken England were formed not for the champion-ship of ideals but for the baser motives of greed and selfish-ness:

“Some, are a faction, for the pope;
Some, to maintain the prelates hope;
Some, for the Presbyterians vote;
Some, Independency promote,
Some, strive for this and some for that,
Some, neither know, nor care for what,
So wars go on, and get they may
Free-quarter, plunder, and their pay.”²

So long as men are moved by a spirit of faction and intolerance, no peace can be gained in either the Church or the State. The contentiousness, the bigotry, and the intolerant clash of rival groups of fanatics in England were, in Wither's judgment, largely inspired by the pride and ambition of the clergy. Directly a cleric gains a preferment his spiritual nature begins to atrophy, and he becomes principally interested in the defence of his vested interests.³ This clerical ambition to gain and to hold preferment has been the chief root of arrogance and persecution in religion:

¹ Wither, *Abuses Stript and Whipt* (1613), *Poetical Works*, I, xxvi; and *vide ibid.*, I, 236-237.

² Wither, *What Peace to the Wicked* (1646) (Spenser Soc. Publ., 1872), 4.

³ “But if they once atchieve a vicarage,
Or be inducted to some parsonage,
Men must content themselves, and think it well
If once a month they hear the sermon-bell;
And if to any higher place they reach,
Once in a twelve-month is enough to preach.”

(Wither, *Poetical Works*, I, 100.)

THE LAYMEN AND THE MODERATES

“E'en this is it of which the devil makes
That cruel engine, wherewithal he shakes
Religion's soundness] . . .”¹

The clergy can regain their true spiritual functions only if they

“From bitter words, and sharp invectives cease;
Invoke for grace, and then provoke to peace.
From all your pulpits banish all partaking
In Factions. . . .”²

They must learn to

“Preach faith, repentance, charity, and what
May true belief, and good life propagate.
Be humble, keep more closely to your charge;
And ramble not about so much at large,
To fetch in fleeces, out of others flocks.”³

Wither sought to show that tolerance and charity could never be gained by the Church unless it assumed a moderate and less rigid position. He bitterly criticized the warring and contentious religious factions of his day. These factions “delight in nothing more then to be opposite to other men.”⁴ He was quite as decisive in his condemnation of Puritan bigotry as in his denunciation of the superstitious tyranny which he charged the Anglo-Catholic party had endeavoured to rivet upon England. There are too many in both factions who

“. . . Suppose that no man's doctrine saves
The soule of any one, unlesse he raves,
And rores aloud, and flings, and hurleth so
As if his armes he quite away would throw.”

Extremism and coercion are not effective to secure the advance of truth or to save men from error. Such means may serve to terrify “the ignorant: but very few from thence receive sound knowledge, or true penitence.”⁵ Wither professed his esteem for those quiet and peaceable Puritans who soberly sought God's Truth, but declared that the intolerant and

¹ Wither, *Poetical Works*, I, 101-102; and *vide* I, 301-305.

² Wither, *Prosopopoeia Britannica* (1648) (Spenser Soc. Publ., 1875), 97.

³ *Idem*.

⁴ Wither, *Britain's Remembrancer* (1628) (Spenser Soc. Publ., 1880), 495-496.

⁵ *Ibid.*, 497.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

dogmatic wing of the Puritan party was particularly dangerous and obnoxious.¹

“Though in a zealous habit they do wander,
Yet they are God’s foes and the churches slander;
And though they humble be in shew to many,
They are as haughty, every way, as any.”²

Men have forgotten in the clash of intolerant sects that God requires no more than that every man shall quietly seek truth with those powers with which he has been endowed. This liberty has been destroyed, and bigoted men have undertaken to dictate in religious matters where

“. . . Jeremie and Moses both,
To undertake this charge were wond’rous loth.”³

Writing several years before the Latitudinarian position had been defined, Wither anticipated it in several important respects. God, he declared, had made necessary truth clear for all men and demanded no more than that they should seek to understand and fulfil it. The poet therefore condemned the clergy for prying into God’s mysteries and for endeavouring to fasten upon Christianity an inflexible dogmatic system of their own creation. For his own part, Wither confessed,

¹ In explaining his defence of the right of the individual Christian to pursue truth and piety in his own way, Wither wrote:

“Now by these words, to some men it may seem
That I have Puritans in high esteem:
Indeed, if by that name you understand
Those whom the vulgar atheists of this land
Do daily term so; that is, such as are
Fore-named here, and have the greatest care
To know and please their maker—then, ‘tis true,
I love them well; for love to such is due.
But if you mean, the busy-headed sect,
The hollow crew, the counterfeit elect;
Our dogmatists and ever-wrangling spirits,
That do as well contemn good works as merits:
If you mean those that make their care seem great
To get soul’s food, when ‘tis for body’s meat,”—

he declared he could regard them as nothing but intolerant bigots. (*Poetical Works*, I, 299–300.)

² *Ibid.*, I, 300.

³ *Idem.*

THE LAYMEN AND THE MODERATES

“I dare not venture upon their distractions,
Who search the order of eternall actions;
Nor doe I further seeke what God foreknowes,
Then he within his Word revealed shewes;
Nor will I ever strive to pry into
His hidden counsells, as too many doe.”

We need

“Search onely for the knowledge of those things
Which an effecting of his pleasure brings.
Since, if I follow them, it cannot be
That he would purpose any harme to me; . . .”¹

Religion is intensely personal, and all men must be allowed the greatest latitude in their beliefs. The essentials of religion are simple, and no man should be compelled to profess a greater knowledge.

“God never yet did bid us take in hand
To publish that which none can understand:
Much lesse affecteth he a man should mutter
Rude sounds of that, whose depth he cannot utter.

For that which man to man is bound to show,
Are such plaine Truths, as we by word may know.”²

Wither regarded as controversial and unessential such doctrines as reprobation, predestination, and final perseverance, though they were the corner-stones of doctrinal orthodoxy in his age.³ The imposition of them upon men can be viewed only as persecution and bigotry. God may lift a few men up to enjoy a glimpse of these great mysteries, but their experience has no validity for other men, and those thus favoured may not force their visions, or pretended visions, upon other men. The essentials of religious truth remain those fundamentals which God has revealed to all men. Private revelation should be

¹ Wither, *Britain's Remembrancer*, 109.

² *Ibid.*, 503-504.

³ *Ibid.*, 499-500, and *vide* 505:

“Would this had beene observ'd a little more,
By some, who in our congregations roare
Of Gods unknowne decrees, eternall-callings,
Of perseverance, and of Final Fallings,
And such like mysteries.”

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

regarded as God's means for resolving the doubts and weakness of faith of particular men.

Intolerance and fanaticism, Wither held, have obscured the broad and tolerant communion which is the true Church of Christ. This Church lies between the two violent extremes which have arisen in England, and in it alone are to be found truth and peace. Unfortunately, the clergy of England have been, on the whole, drawn by the clash of controversy into the extremist camps:

"Some pastors are too hot; and some too cold;
And, very few the golden temper hold."¹

They have become so completely absorbed in spinning out the minutiae of dogma and in digging deeper into mysteries which hold no solution that they have lost themselves in a path "which neither profit, end, nor safety hath."² For his part, Wither professed that it was his high resolution to "uphold the truth, which is bely'd injuriously by most of either side."³ He would rear no church system into an idol, nor would he grant his unreasoning support to any rigid scheme of dogma. With remarkable relativism he declared that he was willing to conform for the sake of unity to any system of dogma or ecclesiastical organization so long as it did not destroy tolerance or deny the fundamentals of faith.⁴ He bitterly denounced the singularity and intolerance which had led the several Churches to teach that salvation might be gained only in their communions. This view has led to emphasis on the trivialities of worship and from it has flowed an amazing dissipation of charity.⁵ Salvation may in fact be gained in many Churches

¹ Wither, *Britain's Remembrancer*, 507.

² *Ibid.*, 115.

⁴ He wrote:

³ *Ibid.*, 113.

"The Hyerarchy, here, I will obey,
And reverence, while I in England stay.
In Scotland if I liv'd, I would deny
No due respect to their Presbyterie.
Geneva should I visit, I would there
Submit my selfe to what their customes were."

(*Ibid.*, 534.)

⁵ Wither, *Three Private Meditations* (1666) (Spenser Soc. Publ., 1875),

THE LAYMEN AND THE MODERATES

throughout the world, even though they may err in some respects.¹ Since our knowledge of religious truth is at best highly imperfect, we should be humble towards God and tolerant towards those who differ from us.² The quarrels and persecution which for so long have assailed the Christian world have sprung from self-love, from an undue emphasis on unimportant matters,³ and from an intolerant singularity causing men to "so presume of their infallibility, that they exclude all as reprobates, who dissent from them in doctrine or discipline; having . . . more affection for those who are zealous in the opinions and formalities which they approve" than for those who seek God in a spirit of humility and charity.⁴

These noble sentiments had their root in Wither's fine devotion to the complete liberty of private judgment. Men may find God only by their own efforts, and any attempt to impinge upon their liberty is ruinous to faith and destructive to religion. Since the necessary truths are clearly revealed, no man can be required to do more than to seek earnestly for what he regards as saving truth and, when he has once gained this truth, to hold it moderately and tolerantly.⁵ In the quest for truth we must steel ourselves with a high resolution to retain a state of objectivity and to depend only upon our own reason and illumination. Wither warned his readers that this was extremely difficult:

42 ff. On these grounds Wither criticized both extreme parties because of their absorption in controversial matters:

"Some, to no congregation will repaire,
In which their duties are extemporarie;
As if (because some call vaine bablings, prainer)
No man possest that guift in ordinarie.
Some, do abhorre Set-Formes; as if they thought
The Spirit, whereby they were first indighted,
Dispis'd the words, which by it selfe were taught,
If more than once, though with true zeale recited."

(*Vox Pacifica* (1645) (Spenser Soc. Publ., 1872), 87.)

¹ Wither, *Three Private Meditations*, 42.

² *Ibid.*, 42-43.

³ *Ibid.*, 44.

⁴ *Ibid.*, 47-48.

⁵ ". . . In affirming, where Gods Word is mute,
It is presumption, to be absolute."

(*Britain's Remembrancer*, 110.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

“Thou must prepare thine eares to heare the noise
Of causlesse threatnings, or the foolish voice
Of ignorant Reprovers; and expect
The secret censures of each giddy Sect.”¹

In fact, it may be said that the retention of an objective temper, so necessary for the finding of truth, has been rendered even more difficult by the ambition and bigotry of rival sects than the finding of truth itself. Religion can flourish only in an atmosphere of freedom and tolerance.² Every man must be permitted sufficient latitude to find God in his own way and time. No man and no people can be driven to faith by external compulsion.³ Wither expressed this principle in the most stalwart terms:

“Doe as you please, my way to me is knowne;
And, I will walke it, though I walke alone.”⁴

Even in his old age, when ill and in prison, he reiterated this fine conviction when he wrote, “I will do as God directs me in every emergency; and desire all my readers to take heed, that they make neither mine, nor any other man’s conscience, an absolute patern or president” for the regulating of their belief and religious practice.⁵

The necessity for complete freedom of investigation and belief, Wither urged, was inextricably woven into the pattern

¹ Wither, *Britain’s Remembrancer*, 312.

² Wither, *Paralellogrammaton* (1662) (Spenser Soc. Publ., 1882), 104 ff.

³ Thus in denouncing the intolerance of the Scots and the tyranny of the Covenant, he wrote:

“It is not possible that any nation
Should make a vow, upon consideration,
To put their faith upon another’s sleeve;
Things to professe, which they cannot beleeve;
To practise, what their consciences abhor,
And what they find, no lawfull warrant for;
But, sure their meaning was, men should assay
To get the truths perfection if they may,
Till otherwise, they find it; to adhere,
To those as truths, which truths to them appeare;
That, from compulsion, all men should be free,
Where doubtings are, till they decided be; . . .”

(*Prosopopoeia Britannica*, 86.)

⁴ Wither, *Campo-Musae* (1643) (Spenser Soc. Publ., 1872), 60.

⁵ Wither, *Paralellogrammaton*, 108.

THE LAYMEN AND THE MODERATES

of spiritual life. Christ's teachings are purely spiritual and they can be propagated by none other than spiritual means. "Christians did not come with fire and sword, the Law of Faith to give," but rather with a firm conviction that the truth which they possessed would prevail over error and unbelief.¹ When we employ the instruments of coercion we display a complete misconception of the nature of religion and we accomplish nothing more than the forcing of ignorant and weak souls into hypocrisy.² The savagery and fanaticism of the rival factions which lay claim to exclusive truth can result in nothing but their own destruction. When this catastrophe has at last taken place, men will come to realize that peace and piety in England are to be found in the moderate position which has clung, despite the clamour of the age, to the principles of latitude, charity, and toleration.

D. THE RATIONALISTS AND THE SCEPTICS, 1603-1640

I. GENERAL NATURE OF RATIONALISTIC THOUGHT

Closely associated with the Moderates and Latitudinarians in their discussion of the problems of toleration and the nature of religion was a group of thinkers who can perhaps most accurately be described as Rationalists and Sceptics. Rationalism was to flower in the second half of the seventeenth century, but its influence during our period was not so slight as has been generally supposed.

By rationalism, in its religious sense, we understand that point of view which seeks to interpret the universe in terms of thought, and endeavours to discredit those traditions and principles which will not bear the scrutiny of such examination. It implies the erection of reason as the final arbiter of experience and observation, and, since reason is in the last analysis sub-

¹ Wither, *Campo-Musae*, 59.

² Wither, *Paralellogrammaton*, 103; and *vide Prosopopoeia Britannica*, 92:

"Compulsion often formes an hypocrite,
But never makes the will, or heart upright:
And he, that would not vaine conclusions try,
The consciences of men to rectifie,
Must act, by somewhat which is more divine,
Then torments, or a formall discipline."

jective, it tends to exalt individualism. The rationalist, it may be said, disavows the *naïveté* of faith only to embrace the *naïveté* of rational conviction. For when he announces that he entertains certain principles, or discards certain beliefs, because they are respectively rational or irrational, he has raised a subjective system which rests upon conscience and which very frequently proves unyielding to rational persuasion. That is to say, the rationalist tends in effect to extol not universal reason, but rather his own reason. At the same time, the rationalist seeks to reduce, to his own satisfaction, the phenomena of experience to a body of universal principles which may serve as a norm for the evaluation of all experience. His deep-seated faith in the power of reason makes him intensely suspicious of all systems which seek to set up an external authority as the standard of judgment, and his instincts revolt at all species of intellectual or moral compulsion.

The Renaissance introduced into thought the rationalistic observation and systematization of natural phenomena which rapidly created that frame of mind which we call the scientific. Of even greater significance in the development of modern culture, and cast in a more heroic mould, was that temper of mind which began in the seventeenth century to apply a similar habit of criticism to the field of spiritual experience and religious life. As we have indicated, the Rationalists were disposed to be highly critical of all external authority. Rationalism subjected the orthodox traditions of Christianity to the closest examination, and laid bare the illogical and apparently unethical character of the premises upon which ecclesiastical authority and persecution had for so long rested. As Lecky has well said, the theory of persecution collapses directly men concede that reason alone should determine their opinions and that every opinion and teaching should be subjected to the criticism of the individual reason.¹ It follows, therefore, that when the habit of criticism and the rationalistic temper became widespread amongst the intelligent classes persecution became less certain of itself; "exceptions and qualifications were introduced; the full meaning of the words was no longer realised;

¹ Lecky, *History of the Rise and Influence of the Spirit of Rationalism in Europe* (L., 1865), II, 94-95.

THE LAYMEN AND THE MODERATES

persecution became languid; it changed its character; it exhibited itself rather in a general tendency than in overt acts; it grew apologetical, timid, and evasive."¹

The Rationalists in England were distinguished for the objectivity and dispassion which they were able to maintain during the religious crisis even then maturing so rapidly in England. The Latitudinarians praised dispassion and exalted the use of reason in religion, but they wrote as deeply pious men who were seeking a sane and tolerant solution to the spiritual problems of England. The Rationalists, on the other hand, sat upon the highest mountain-top of objectivity; they tended to view religion and morality as reasonable men rather than as Christians or as Englishmen; and they did the greatest injury to the pretensions of ecclesiastical authority by indicating that the claims of particular sects and Churches to an exclusive and intolerant authority were patently devoid of reasonable proof when set in the frame of universal experience and morality. The English Rationalists declined to limit their view and their investigations to that spiritual area which the Church of England and the various sects had delimited as comprising the bounds of religious truth. They were wholly secular in their interests and were principally concerned with ending religious controversy and tyranny rather than with promoting religious life. They added a powerful, keen, and subtle influence to the manifold forces which were now beginning to attack directly and in unison the very pillars of ecclesiastical authority. Rationalism was primarily aristocratic in character, but as it was diffused through layer after layer of English society in the derived forms of scepticism, indifference, and individualism, in area after area not only religious intolerance but religious vitality yielded before it.

Rationalism found in England a rich soil in which it might strike root. We have frequently commented upon the fact that the clamour and bigotry of opposing religious groups in England, making mutually contradictory claims to exclusive religious authority and seeking to impose their views by coercive methods, had resulted in widespread dissatisfaction.

¹ Lecky, *Spirit of Rationalism*, II, 96-97; and *vide* Haynes, E. S. P., *Religious Persecution; a Study in Political Psychology*, 102.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

The seventeenth century remained deeply religious and many men found peace in the face of these disturbing contentions in the comprehensive conception of the Church of England which Hooker had defined and the Moderates defended, in the tolerant sects which were richly nourished by the intolerance of the two powerful religious groups, in the authoritative bosom of the Roman Church, or in a peculiar species of Erastianism. At the same time, many men were driven into religious indifference and scepticism by the unedifying drama which was unfolding before their eyes. There is strong reason for believing that this spirit of indifference was a not inconsiderable element in English culture by 1640. Professor Ward has commented upon the fact that there is but little reflection in the English drama, perhaps the most sensitive form of letters, of the titanic religious struggle which was going on prior to 1640.¹ Men were weary of a theological discussion which had long since exhausted its material and which, as it grew less reasonable, became more bigoted. The astute Fuller observed that the diversity of religious opinions which had for so long created theological conflict had led to the growth of atheism and unbelief.² In 1652 Walter Charlton wrote that "England hath of late produced and doth foster more swarms of atheistical monsters than any age and any nation hath been infected withal."³ The dramatist Fletcher remarked that

"To be of no religion
Argues a subtle moral understanding,
And it is often cherished."⁴

The state of mind which Fletcher so accurately diagnosed was still apologetical and a little fearful in 1640, and scepticism hardly dared to rear its head during the Interregnum. But when a generation of religious tension was released by the Restoration it was discovered that the desperate effort to erect the Kingdom of God in England had in reality weakened the faith and dissipated the interest of men in religion.

¹ Ward, A. W., *History of English Dramatic Literature to the death of Queen Anne*, III, 219-220.

² Fuller, *The holy and profane states* (1831 ed.), 257 ff.

³ Quoted in Smith, *History of Modern Culture*, I, 401.

⁴ Fletcher, *The Elder Brother* (1637), act V, scene 1.

THE LAYMEN AND THE MODERATES

2. SIR JOHN DAVIES, 1569-1626

One of the earliest and most interesting of the seventeenth-century Rationalists was Sir John Davies. Davies was born in Wiltshire of a good family and was educated at Winchester and at Oxford, taking his degree in 1590. He was returned to Parliament in 1601 and with the accession of James was appointed Solicitor-General to Ireland. He returned to England in 1619 and in the year of his death was appointed Lord Chief Justice.¹

Davies's most important philosophical work was his *Nosce Te ipsum*, which was first published in 1599.² The work is a philosophical discourse in quatrains on the immortality of the soul. Davies examined the nature of the soul and the proofs of immortality with clear and fine logic. His tone is objective, calm, reasoned, and restrained, reminding the reader of the felicity of the inscription which was placed at Davies's tomb.³ Davies identified the soul with the universal order of nature:

"For nature in man's heart her lawes doth pen;
Prescribing truth to wit, and good to will,
Which doe accuse, or else excuse all men,
For every thought or practise, good or ill."⁴

The human mind is instinct with the desire to find truth, and employing its instrument reason, it never tires in that quest. This disposition the poet would regard as the deepest in man's nature.

Davies's thought was remarkable for its boldness and unorthodoxy. Thus he deplored the regrets which have always been expressed at Adam's fall, for it seemed to him that Adam was inspired by that rational curiosity which constitutes man's highest attribute:

¹ Courthope, *History of English Poetry*, III, 56.

² The work, which James greatly admired, was republished in 1602 and 1608.

³ "Ingenuae pietatis amore et anxiae superstitionis contemptu
Iuxta insignis.

Plebeiarum animarum in religionis negotio
Pervicacem μίκροψυχίαν ex edito despiciebat
Fastidium leniente miseratione.

Ipse magnanime probus, religiosus, liber, et coelo admotus."

(Davies, *Works* (ed. Grosart), *Memoir*, II, cxx.)

⁴ Davies, *Works*, I, 119.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

“For what is man without a moving mind,
Which hath a judging wit, and chusing will?
Now, if God’s power should her election bind,
Her motions then would cease and stand all still.”¹

Man was created in order to love God, and he cannot fulfil that mission if he is restrained either by the compulsion of election or by the forcing of his reason. Man finds God by reason and experience, and his ascent to truth and wisdom is gradual. Davies deplores that spirit of mind which demands absolute truth and certainty in religious matters:

“So that if man would be unvariable,
He must be God, or like a rock or tree;
For even the perfect angels were not stable,
But had a fall more desperate than wee.”²

Man fell through his intellectual curiosity, and he will regain truth through the development and perfection of his reason. In the end, Davies seems to imply, man will through the regeneration of reason become nobler and wiser than his first ancestor.

Man’s supreme task, then, is to master and to employ his reason, and the poet seeks to discover how “Reason’s lamp” may be relighted. Above all else we must rely upon our own intelligence in the finding of God’s truth, and we must shun any external authority which lays claim to our intellectual obedience:

“We study speech but others we perswade;
We leech-craft learne, but others cure with it;
We interpret lawes, which other men have made,
But reade not those which in our hearts are writ.”³

Davies seems to feel that if man could only shake off the restraints of tradition, passion, and blindness he would once more become free and noble. For, inherently, “my soule hath power to know all things.”⁴ Reason alone can free man from passion and envy and raise him to that point of objectivity where he attains spiritual independence.⁵ This state of mind, he reiterates, is absolutely necessary if we are to redeem ourselves and discover truth:

¹ Davies, *Works*, I, 96.

² *Ibid.*, I, 96–97.

³ *Ibid.*, I, 49.

⁴ *Ibid.*, I, 54.

⁵ *Ibid.*, II, 172–173; and *vide* II, 238–239.

THE LAYMEN AND THE MODERATES

“Nor may a man of passion iudge aright,
Except his minde bee from all passions free;
Nor can a Judge his office well acquite,
If he possest of either partie bee.”¹

When we attain this state of mind, the reason and the will are freed and we can proceed undisturbed in the quest for truth. For

“Will is as free as any emperour,
Naught can restraine her gentle libertie:
No tyrant, nor no torment, hath the power,
To make us will, when we unwilling bee.”²

This view of reason led Davies to espouse what may be described as a doctrine of perfectibility. It is particularly significant that in his opinion perfectibility was to be gained not by the miraculous experience of conversion but rather by the reason's slow and painful pursuit of truth. God has endowed man with reason and with the will to attain His truth. No matter how men may appear to strive to repress it, they can never quite destroy the instinct of perfection.³ For we find in every man a great thirst for knowledge, and

“With this desire, shee⁴ hath a native might
To find out every Truth, if she had time;
Th' innumerable effects to sort aright,
And by degrees, from cause to cause to clime.”⁵

It is true that we do not attain perfection of knowledge in this world, but, unless God has given us our reason in vain, we shall do so in the future life.⁶ Our souls resemble in kind the Supreme Intelligence, and it follows as a law of nature that we shall ultimately rise to His perfection:

“Water in conduit pipes, can rise no higher
Then the wel-head, from whence it first doth spring:
Then sith to eternall God shee doth aspire,
Shee cannot be but an eternall thing.”⁷

Our reason is driven by an irresistible force to seek God's truth and it must by the fulfilment of its very nature ultimately attain it. For the

¹ Davies, *Works*, I, 78.

² *Ibid.*, I, 120.

³ *Ibid.*, I, 125.

⁴ I.e., the mind.

⁵ Davies, *Works*, I, 126.

⁶ *Ibid.*, I, 127.

⁷ *Ibid.*, I, 128.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

“Wit, seeking Truth, from cause to cause ascends,
And never rests, till it the first attaine:
Will, seeking good, finds many middle ends,
But never stayes, till it the last doe gaine.”¹

Davies's thought was not without importance in the development of the theory of religious toleration. He appears to have been completely emancipated from the theological orthodoxy of his day and his discussion of the problems of the soul and the authority of reason was fresh, fearless, and provocative. He stoutly argued that man must lean upon reason alone in the pursuit of truth and that he must divest himself of all dependence upon tradition, authority, and revelation. Persecution he would regard as a brutal and irrational curb upon the freedom of reason. Davies gave to rationalism an inspired and stalwart defence which would seem to give him a more significant place in English thought than has generally been assigned him.

3. EARLY MINOR RATIONALISTS (SIR JOHN HARINGTON AND SIR THOMAS OVERBURY)

The extent and character of the scepticism arising in England as a consequence of the continued clash of religious groups, each maintaining a rigid and exclusive system of truth, may be illustrated by two thinkers separated by a generation. Sir John Harington, in his *Epigrams*, represents a father enquiring of his son, who was neither “unlearned nor a foole,” whether Romanism or Calvinism offered the greater religious certainty and security:

“ ‘Then say, my sonn,’ quoth he, ‘Fear no controule
Which of the two is safest for my soule?’ ”

There was bitter irony in the son's reply:

“ ‘Sure,’ quoth the sonn, ‘a man had needs be crafty
To keepe his soule and body both in safty.
But both to save, this is best way to houlde:
Live in the new, dy yf you can in th’ olde.’ ”²

¹ Davies, *Works*, I, 130.

² Harington, *Letters and Epigrams* (ed. N. E. McClure, 1930), 301–302. Harington's collected epigrams were first published in 1618, but the one just cited was written about 1603.

A similar bitterness may be detected in the sentiments of one Reverend Mr. Carrier, a clergyman and justice of Derbyshire, who was indicted before the Star Chamber in 1632 charged with having stated that "there was a double persecution in our kingdom, one against papists and another against protestants." It appeared, too, that Carrier held that "there went but a paire of sheeres between a papist and a protestant, and that it was not a pinne to choose of which religion a man is."¹

The same rationalism, tinged with bitterness, may be found in the works of the brilliant and unfortunate Sir Thomas Overbury (1581-1613).² There seems little doubt that Overbury was a free-thinker,³ and the seventeenth century saw no more scathing denunciation of clerical bigotry and tyranny than that found in his writings.

In his *Characters* he scoffed at every religious group in the England of his day in the brilliantly executed portraits of the Puritan, the Precisian, the Button-Maker of Amsterdam, the Jesuit, and the Hypocrite. He denounced with particular venom the intolerance and fanaticism of the Protestant extremists. He charged that the Puritan's "fiery zeal keeps him continually costive, which withers him into his own translation, and till he eat a school-man is hide bound." He is so factious and arrogant that "where the gate stands open, he is ever seeking a stile, and where his learning ought to climb, he creeps through; . . . his greatest care is to contemn obedience, his last care to serve God handsomely and cleanly."⁴ Even more bigoted is the Precisian, who is so convinced of the state of his grace that "he dares challenge the Almighty to talk with him extempore" and would "not change places in heaven with the Virgin Mary, without boot."⁵ Overbury charged that all Churches were cursed with hypocrisy and, he came very near to adding, with falseness.

¹ Gardiner, *Star Chamber Cases*, 92.

² The first edition of his *Characters* appeared in 1614. Nine more editions appeared during the following four years, to most of which fresh 'characters,' not all by Overbury, were added. Frequent editions followed during the remainder of the century.

³ Gough, C. E., *The Life and Characters of Sir Thomas Overbury*, 13.

⁴ Overbury, *Miscellaneous Works in verse and prose* (1756 ed.), 119-120.

⁵ *Ibid.*, 148.

Overbury's rationalism and scepticism are even more clearly developed in his *News from the Church*. He charged that when Christ went away He "left good seed in His Church; and when He comes again, He shall find Christians, but not faith." We are blindly following false leaders who seem to mistake form for substance. Thus we witness the depressing spectacle of Protestants who "wear the name of Christ for a charm, as papists do the cross . . . states use it, the clergy live by it, the people follow it, more by a stream, than one by one." Christ has made every man responsible for his own salvation, and that cannot be gained by an unquestioning obedience to authority. Yet, "every one looks to another but not to himself . . . they go so by throngs to heaven, that it is to be feared they take the broader way."¹ Men have so consumed their spiritual energy in warring over trifles and have so wedded themselves to faction and falseness that religious vitality has well nigh been destroyed. They have thought to defend truth by extremism, forgetting that all controversies "leave the truth in the middle, and are factious at both ends." The world has gone mad because of too much and of too little knowledge.²

The cynical thrusts of men like Harington, Carrier, and Overbury, while contributing little directly to the theory of toleration, are of great importance in that they betray the existence of an intellectual soil favourable to the dissemination of the thought of nobler and more constructive minds. As we have indicated, rationalism was intensely individualistic in its consequences and the deep-seated scepticism of the men whose thought we have just surveyed may be regarded as one very significant by-product of the rationalistic spirit. The contribution of this species of scepticism and bitterness to toleration may, in one sense, be said to reside in the fact that this temper of mind did not pause to reason with the persecuting and fanatical spirit—it rather ridiculed it out of existence.

Rationalism very quickly burst the bounds of orthodoxy in England and subjected the ancient doctrinal pretensions of the Church and the miraculous basis of its assurance of grace to a close and critical examination. This spirit of criticism was to contribute powerfully to the development of Socinianism in

¹ Overbury, *Works*, 247.

² *Ibid.*, 248.

England. So close had been the restraints imposed by the English Establishment and so general was the horror felt by pious men for Socinian teachings that Unitarianism was not able to secure a foothold in England before the collapse of civil and spiritual authority during the Civil War. We have noticed that Acontius had been considerably influenced by Socinus, but he was in no sense a Unitarian, taking pains to minimize the Socinian influences on his thought. A number of fanatics, of whom Legate is perhaps the most typical example, had apparently held Socinian tenets in the general jumble of their heretical beliefs, but they had made no contribution to religious thought, and their extremism had only served further to discredit Socinian teachings in England.

There was published about 1628, however, the *Dissertatio de pace et concordia Ecclesiae*, which was to exert an important influence on English religious thought and which made a substantial contribution to the theory of toleration. We have noticed that this work, improperly attributed to John Hales, was probably from the pen of Samuel Przypkowski, a Polish Socinian.¹ The book served to introduce a restrained Socinian point of view into England and may be regarded as having laid the foundations for the rapid development of Socinian thought during the Interregnum.

Underlying the thought of the author of the *Dissertatio* may be detected a brooding pessimism. He saw clearly that Christianity must either embrace the principle of religious toleration or be destroyed by the internecine conflicts of rival persecuting systems. He seemed, however, to have little confidence that the Christian communions could or would embrace religious liberty in time. Deeply imbued with the spirit of rationalism, the author diagnosed the psychology undergirding the persecuting system, demonstrated that it was not only impossible but unnecessary to define religious truth with absolute precision, and advanced the thesis that no higher religious authority can be adduced than the reason of the individual Christian. There was little in his thought to set it apart from that of the other

¹ *Vide ante*, 403, n. 1, for a discussion of the authorship of this work. The book achieved a wide circulation in England. A second edition was published in 1630 and a third in 1653. We have used the reprint in *Phenix*, II, 348 ff.

laymen whom we have been considering: the intellectual spine of the persecuting philosophy was to be destroyed by the repeated restatement of these positions by men of different creeds and points of view who, casting bigotry aside, gravely warned a distracted England that the seventeenth century must choose between moderation and ruin.

4. ROBERT HERRICK, 1591-1674

Rationalism was highly individualistic in its nature and manifested itself in a variety of forms during the early seventeenth century. We have previously mentioned the scepticism and indifference which had by 1640 gravely weakened the foundations of orthodoxy. The quality and bent of this species of thought may well be studied in the works of Robert Herrick, a beneficed clergyman in the Established Church.

Herrick was born in London, where his family appear to have been prosperous goldsmiths. He was educated at Westminster and Cambridge, and in 1629, twelve years after his graduation from the university, was presented with a living in rural Devonshire, to which he retired in highly articulate disgust.¹ The period of his greatest literary activity falls between the years 1630 and 1648.² Herrick, who was an outspoken royalist, was ejected from his living in 1647. He returned to London, where he was probably supported by Endymion Porter until 1662, when his living was restored.³

Herrick's religious thought is remarkable for its deep-seated scepticism, its paganism and materialism, and the rationalism concealed in verse almost naïve in its apparent simplicity. The poet certainly regarded himself as perfectly orthodox, but the veneer of religious convention was very thin indeed.

His thought, frequently even his most pious reflection, was steeped in classical paganism,⁴ while his theology was "grossly anthropomorphic."⁵ He clothed Roman paganism in the con-

¹ Herrick probably took orders before 1627. In that year he accompanied Buckingham on the expedition to the Isle of Ré as chaplain, and later in the same year he was granted a living.

² The *Hesperides* was published in the latter year.

³ Moorman, F. W., *Robert Herrick*, 133, 149-150.

⁴ *Ibid.*, 206.

⁵ Gosse, E., *Seventeenth-century studies*, 132.

ventional garb of Christian terminology and so complete was his unorthodoxy that he failed to appreciate the implications of his intellectual position.¹ There is a boisterous joy and sturdy paganism in his thought which makes Herrick an attractive though hardly a Christian figure:

"I fear no earthly powers,
But care for crowns of flowers;
And love to have my beard
With wine and oil besmear'd.
This day I'll drown all sorrow:
Who knows to live tomorrow?"²

At the same time, his thought was tinctured with an amazing materialism. In his *Noble Numbers* there is displayed a child-like faith in orthodoxy, but from time to time the veil of conventional expression is lifted and not a trace of true religious emotion is revealed.³ His religion was natural rather than Christian. He displayed almost no concern with the religious problems of his day. He was possessed of a gentle and delightful materialism and epicureanism, shot through with a brooding pessimism and scepticism. One is led to wonder what his sermons could have been like.

Herrick stood on terms of complete and amazing intimacy with God.⁴ On one occasion he invited God to read his verse with the assurance that He would suffer no harm from the imperfections of the poet's verse:

"Pardon me, God, once more I Thee entreat,
That I have placed Thee in so mean a seat
Where round about Thou seest but all things vain,
Uncircumcis'd, unseason'd and profane.
But as Heaven's public and immortal eye
Looks on the filth, but is not soil'd thereby,
So Thou, my God, may'st on this impure look,
But take no tincture from my sinful book."⁵

He addressed God casually, with little evidence either of fear

¹ Herrick, *Hesperides and Noble Verses* (ed. A. W. Pollard, 1898) (cited as *Works*), I, 153, 161, 190, 245; II, 74-75, 100.

² *Ibid.*, I, 78.

³ Moorman, *Robert Herrick*, 306.

⁴ Herrick, *Works*, II, 179, 190, 221, 242.

⁵ *Ibid.*, II, 212.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND
or of understanding of the Omnipotent Presence which
Calvinism had so laboriously formulated.¹ To Herrick,

“God’s hands are round and smooth, that gifts may fall
Freely from them and hold none back at all.”²

Man should not disturb his peace and the even tenor of his life by the contemplation of matters which he cannot understand. He should rather enjoy to the fullest possible extent the blessings which God has placed in the world for his use, with the hope, which Herrick expressed a little wanly, that they might be enlarged in a future life.³ Man should be content to grasp and enjoy that which lies easily within his power, for

“Born I was to be old,
And for to die here:
After that, in the mould
Long for to lie here.
But before that day comes
Still I be bousing,
For I know in the tombs
There’s no carousing.”⁴

Herrick’s paganism and materialism betoken an attitude towards religion which had little relation to the deep piety and rigid orthodoxy of his age. In his thought we detect the subtle influence which rationalism and scepticism were to have in dissolving doctrinal inflexibility. His was a religion of naturalism rather than of authority; he cut the cloth of religion as he would in order to fashion a cloak which would meet the approval of his own tastes and needs. “La religion de Herrick n’est pas uniquement une “chose de beauté,” riche en couleurs et en parfums divers : elle contient en outre une part doctrinale assez importante, et formulée d’une façon toute intellectuelle.”⁵ Toleration is the inevitable by-product of such individualism.

The poet cast aside those elements of orthodoxy which would restrict the intense individualism and the complete freedom of his religious philosophy. In particular, he discarded the doctrine of predestination on the ground that it denied the

¹ Herrick, *Works*, II, 191–192, 242, 249.

² *Ibid.*, II, 225.

⁴ *Ibid.*, I, 247.

³ *Ibid.*, I, 97–99, 213, 215, 240.

⁵ Delattre, F., *Robert Herrick*, 359.

THE LAYMEN AND THE MODERATES

dignity and freedom of man.¹ No man is tempted beyond his capacity for resistance.² Man is damned by his own sins which he commits of his own free will.³ With fine independence Herrick wrote:

"Art thou not destin'd? then with haste go on
To make thy fair predestination:
If thou can't change thy life, God then will please
To change, or call back, His past sentences."⁴

It may be said, in summary, that Herrick's thought represents the reaction of a sensitive and reasonably intelligent man to the religious turmoil and bigotry of his age. He found peace and contentment in a paganism and materialism which were decently concealed with the trappings of current theological terminology. So complete was his escape from the problems of his age that his poetry contains almost no reflection of the political disturbances of the period, and he bestows almost no attention to the religious crisis which absorbed the nation. In the vast stretches which rationalism opens up to the exploring and critical mind Herrick erected his altar where he would and bedecked it with such garlands as met the approval of his taste.

5. LORD HERBERT OF CHERBURY, 1583-1648

We find the same influences operative in the more powerful and sophisticated mind of Lord Herbert of Cherbury, perhaps the most distinguished and influential rationalist of our period. The scion of a noble family, Herbert was privately educated in the classics and matriculated at Oxford in 1596. For some years after leaving the university he led a quiet life as a country magistrate on his estates in Montgomeryshire. He travelled widely, particularly in France, where he enjoyed a considerable reputation, and was for some time a soldier in the army of the Prince of Orange. In 1619 he was sent to France as ambassador and while there published in 1624 his *De Veritate*, which

¹ Herrick, *Works*, II, 237.

³ *Ibid.*, II, 238.

² *Ibid.*, II, 236.

⁴ *Ibid.*, II, 237.

had, however, been largely composed before his departure from England.¹

Herbert's thought cannot be regarded as of the highest quality. He was inordinately vain, diffuse in his expression, and frequently extremely obscure in his meaning. His philosophical speculation, while daring and at times revolutionary, cannot be considered as highly systematic and was not sustained by closely knit logic. It seems clear that he not infrequently wrote for effect and his vanity tends to express itself in subjective parentheses which militate seriously against both clarity and conviction. None the less, he laid a firm philosophical basis for English rationalism. He approached the manifold problems of religion in a thoroughly secular and critical spirit which left his century somewhat aghast. He was perhaps the first thinker in England to undertake a thoroughly comparative study of religion, and in this effort he maintained a remarkable dispassion and objectivity. He explored fearlessly the irrational and superstitious sanctions which have been reared about the various Christian communions, and was merciless in his denunciation of what he regarded as deliberately perpetrated clerical fraud. He sought to reduce religion to its basic truths and to indicate a platform upon which the sects of his own day might unite in peaceful worship. Herbert was not at heart a religious man, nor did he have any direct interest in the problem of liberty of conscience. In his examination of the structure of religions and in his vigorous denunciation of all forms of ecclesiastical tyranny he was, however, to cut away the reasonable basis of the system of persecution.

Underlying Herbert's contempt for institutional religion and fortifying his consideration of spiritual problems was a cold materialism which pervaded all of his thought. He was from childhood deeply interested in spiritual problems, but he approached these questions in a coldly analytical spirit.²

¹ The *De Veritate* was republished in France in 1636 and 1639. It was first published in England in 1633, and later editions appeared there in 1645 and 1659. To the edition of 1645 Herbert added a short essay *De Causis Errorum*, a treatise entitled *Religio Laici*, and an appendix *De Religione Gentilium*. We have employed the first English edition of *De Veritate*.

² Hunt, *Religious Thought*, I, 441.

There is almost no warmth in his religious thought, and there is a complete absence of the gentle piety and mystical devotion which inspired the poetry of his younger brother. This materialism is best demonstrated in his early poetry, where he considered the problem of immortality at some length. He completely discarded the concept of personal immortality, proposing rather tentatively and almost with disinterest a kind of physical immortality which man gains when the elements composing him are dissolved and made available for the reformation which nature constantly arranges :

“And while thou doest thy self each where disperse,
Some parts of thee make up this universe,
Others a kind of dignity obtain,
Since thy pure wax in its own flame consum’d,
Volumes of incense sends, in which perfum’d,
Thy smoak mounts where thy fire could not attain.

Much more our souls then, when they go from hence
And back unto the elements dispense
All that built up our frail and earthly frame,
Shall through each pore and passage make their breach,
Till they with all their faculties do reach
Unto that place from whence at first they came.”¹

The elements of man’s entity will be dissolved and nature will recombine them into new and perhaps nobler forms. As we are merged into new substances we “may unto some immortal state pretend.”²

Herbert’s philosophy and his religious thought are very closely related. In the *De Veritate* he had intended to develop a theory of truth but produced, in reality, a theory of natural religion.³ Religious thought, he held, has long been confused and obscure because those who approached it did so without a critical method.⁴ Hence men have been without discipline in religion and a chaos of opinions has resulted. Herbert, for his part, proposed to examine religion with a strictly objective method designed to reveal the nature of truth.

¹ Herbert, *Poems English and Latin* (ed. G. C. Moore Smith, 1923), 83–84.

² *Ibid.*, 85.

³ Scholz, H., *Die Religionsphilosophie des Herbert von Cherbury, Studien zur Geschichte des neueren Protestantismus*, V, 15.

⁴ Herbert, *De Veritate*, I, 3.

Every sane man has been endowed by Providence with the faculty for testing all truths, or presumptive truths, which may demand his acceptance.¹ This faculty is the highest of many with which man has been blessed,² and may be regarded as a critical capacity separating him from the beasts and elevating him to a dignity of intellect limited only by his cultivation of this faculty.

The *notitiae communes* form the basis for a reasoned judgment in questions of religion. They constitute the criteria by which we are enabled to judge and determine religious premises, and particularly those which have presumably been advanced by revelation.³ Man must place his faith, in these matters which cannot be experientially determined, in reason rather than in authority.⁴ Nothing should be believed or accepted which violates the reason of the individual or which pretends to transcend reason. The certainty afforded by reason must precede faith, and until such certainty has been established the individual must maintain a position of critical scepticism. We must distinguish carefully between the certainly known and the possible, and in no sphere does greater confusion prevail in this particular than in the religious. Moreover, we must rigorously differentiate between that which is fundamental to our salvation and that which is merely supposition or idle superstition. Faith without reason has led the Church into innumerable errors.⁵

The Church has erred grievously in its effort to convince men that a distinction somehow exists between divine truth and natural truth. This view not only lacks a logical basis but blasphemes God. God can be separated neither from reasonable truth nor from those natural and observable phenomena which may be said to constitute His highest manifestations. By reason, then, we apprehend truth, and that is to apprehend God's Will.⁶ Whatever is conformable to reason is

¹ *De Veritate*, 27.

² *Ibid.*, 29 ff.

³ "Notitiarum communium doctrina, adeo inservit, ut citra earum opem, nullus cōmode instituti possit revelationis, vel ipsius quidem religionis, delectus." (*De Veritate*, 208.)

⁴ Lechler, G. v., *Geschichte des Englischen Deismus*, 51-52.

⁵ Gütter, C., *Eduard Lord Herbert von Cherbury*, 63-64.

⁶ Hunt, *Religious Thought*, I, 442.

by its very nature true, and will be so regarded by all rational persons. "Summa igitur veritatis norma erit consensus universalis."

Herbert conceived God to be best defined as the sum, or essence, of absolute truth,¹ and hence the search for truth is in reality the quest for God. Truth is coeval and coeternal with things, and is self-evident to the inquiring mind approaching its quest with dispassion. Truth is lodged in the innate common sense of mankind, though, naturally, it is held with varying degrees of fulness and accuracy.² Man reflects in his own nature the quality and substance of truth, and in this sense acquires a character which is a reflection of the divine. "But as in the dispersion of light there is an accelerating loss of brilliance as it proceeds from its source," so truth is diffused and blurred in men. The veil which covers truth may be dispelled by reason alone.

Religion, consequently, may certainly be grounded only in that truth discoverable by the individual. Unsupported belief can acquire the credibility of truth by no other known means. That "religion which is not true is worthless, and our instinct gives us the only sure basis of truth; for everything outside our instinct is a matter of opinion, which may vary with every individual."³ Man's task is the pursuit of truth and in this quest he must follow his reason and instinct wherever they may lead him. The slightest compulsion will destroy not only the means by which truth is attained but also the dispassion and freedom necessary for its attainment. Man may stumble into error and sin in the search for truth, but it would appear that this is the consequence of defects in his nature over which he exercises no control. God has provided every man with the capacity for the attainment of truth, despite these defects. For God could not by His own nature hide from man that which is necessary to the fulfilment of his end.

Herbert's devotion to rationalism and to the sanctity of the right of private judgment made him extremely suspicious of

¹ Sorley, *History of English Philosophy*, 39.

² Smith, *History of Modern Culture*, I, 411.

³ Vincent, Edgar, *Some Aspects of the English Reformation, 1550-1660*, *Church Quarterly Review*, CIX, 85.

all extra-rational pretensions. Thus he examined the Christian teaching of revelation, which lay at the basis of the Church's claim to spiritual authority, with a hostile criticism which, had its nature been widely appreciated, would have called down upon him a clerical wrath far more bitter than that which compelled the timorous Selden to submit. In no part of the *De Veritate* does Herbert attain a finer sweep of logic or a closer analysis.

Reason, the author declared, is rooted in our own nature, is susceptible to our own discipline, and may be regarded as subjectively infallible. All data may be submitted to its criticism and we may achieve certainty of understanding and decision through it. The authority of revelation, on the contrary, resides in the thing revealed and is consequently extra-personal.¹ Revelation may be possible,² but it can have no more than a personal significance. The person who has experienced divine revelation may through the immediacy of that relationship gain infallible personal evidence of its truth, but he is not possessed of the means or the proofs required to lend general significance to the knowledge which he has gained. The phenomenon remains extra-rational in its nature.

Pervading Herbert's treatment of revelation³ is the scarcely concealed suspicion that it is a terrible fraud employed to pervert truth and defeat reason. There may well be private revelations—reason cannot test such experiences—but certainly a general revelation is not possible since it would invalidate the universal reason upon which true religion rests. External revelation can only supplement the knowledge of reality which every man possesses, and if it conflicts with private reason it should be rejected.⁴

Herbert appears to have regarded pretended revelation as

¹ Herbert, *De Veritate*, 225-227.

² In fact, Herbert claimed divine revelation had caused him to publish the *De Veritate*. (Herbert, *Autobiography* (ed. Sidney Lee, 1886), 248-249.) The suspicion is perhaps justified that he made dexterous use of a pretension which the sects, whom Herbert disliked so intensely, were wont to employ for the advancement of their 'truth.' We cannot possibly credit Herbert with sincerity in this amazing statement.

³ Herbert, *De Veritate*, 224 ff.

⁴ Vincent, *Some Aspects of the English Reformation*, *Church Quart. Rev.*, CIX, 85.

the principal tool by which the clergy overthrew reason, created schisms, and riveted reputedly infallible systems of faith upon mankind.¹ He was scathing in his criticism of the clerical temper and character.² The clergy have been responsible for most of the encrustment of dogmas and corruptions which weaken faith and, by violating reason, destroy religion. No external authority should ever be permitted to override the dictates of the independent conscience, and no religious truth can have universal meaning save as we have personal certainty of its divine origin.³ The layman must jealously guard the sanctity of his reason. He should avoid controversies in obscure matters, but, at the same time, he should be resolute in the defence of the fundamental truths of his faith and rigorously restrain the clergy when they seek to add irrelevant and irrational matters to faith.⁴

Lord Herbert had surveyed the nature of truth and reason with a critical and dispassionate examination. This task, however, he regarded as incidental to the larger problem of the nature of true faith and the character of the true Church. In this examination Herbert was to make his most notable contribution to the development of the theory of toleration.

In his *De Religione Gentilium* he advanced the radical opinion that all institutional religions were only relatively true and, he added, relatively false. No religion is entirely devoid of truth. Every faith that man has confessed has contained some elements of reason, and it is the task of the critic to examine religious systems dispassionately and comparatively in order to detect which elements are true and which false, and more especially to ascertain those great truths common to all religious communions. Every faith has within it a "kernel" of truth, which, however, has usually been more or less concealed by the accretions foisted upon religion by the clergy. True faith, then, can be detected by a comparative study of the various historical religions.⁵ For the foundations of religion

¹ Herbert, *Autobiography*, xli, xlii.

² *Vide* Herbert, *De Religione Gentilium* (Amsterdam, 1663), *passim*.

³ Webb, C. C. J., *Studies in the History of Natural Theology*, 351-352.

⁴ Herbert, *De Causis Errorum* (L., 1645), 18, 27-30, *et passim*.

⁵ Vincent, *Some Aspects of the English Reformation*, *Church Quart. Rev.*, CIX, 85.

rest upon these universal laws and instincts which man cannot pervert or change without doing violence to his own nature. History reveals no religion or philosophy so barbaric that it did not contain the essential kernel of religious truth.¹ These truths pervade the universe, and all men are endowed with knowledge of them.²

The philosopher then indicated those truths which he observed in all religions—the fundamental religious truths necessary to salvation. This compilation of abstract religious principles was subsequently to constitute the platform of English Deism and was to subject Herbert to bitter criticism from orthodox champions. There are, he wrote, five innate principles forming the fundamental structure of religion. First, there is a God. All people recognize this truth and, even if they are polytheistic, attribute the supreme power to one deity. It is significant, too, that all people agree upon the essential attributes of this deity.³ It is likewise universally acknowledged that God should be worshipped, as the temples and groves which have existed from the beginning of history attest.⁴ It is further universally agreed that virtue and purity are the chief parts of worship, and that we are commanded to repent and forsake our sins.⁵ And, finally, all men agree that we are to experience rewards and punishments in a future life.⁶ These are the *veritates catholicae* which have been known in every time, in every place, and in every philosophy. In a real sense, therefore, the catholic Church may be said to have existed always.⁷ In these universals Herbert felt that he had discovered the essence of religious truth and the platform upon which the warring sects of his own age could unite.⁸

All men, therefore, have been provided with the means of salvation. Can any better God be conceived than one who through His universal providence has made it possible for all

¹ Herbert, *De Veritate*, 38–40.

² *Ibid.*, 42.

³ *Ibid.*, 210–211.

⁴ *Ibid.*, 212–214.

⁵ *Ibid.*, 215–219.

⁶ *Ibid.*, 219 ff.

⁷ Lechler, *Geschichte des Englischen Deismus*, 53.

⁸ In the *De Religione Gentilium* Herbert expanded these views further. He shows that the five principles were present in all pagan religions and philosophies, though they ultimately came to be buried under an accumulation of non-essentials. (Pp. 158–162, 164–167, *et passim*.)

men to attain saving truth?¹ The philosopher regarded Christianity as the best religion because it develops most adequately and adheres most consistently to the five universal principles and since it summarizes the "inchoate longings" of men through all the ages. But a virtuous man may be saved in any religion. The pious heathen were on the right road without realizing it. Since the Creation God has, in His infinite mercy, made available to every man the essential means of salvation to employ if he will.² Religion is an evolving and organic institution which has become purer and more completely truthful as man's reason and knowledge have advanced. But amongst the great heathen a remarkable depth of devotion and perception of truth was attained. The Christian religion can exhibit no finer or higher teachings than those advanced by Plato and Seneca. God has confined neither His truth nor His mercy to one place, one people, or one age. His truth has always been in the breasts of all men. It has been obscured by the pettiness, the wrangling, and the irrelevancies which ambitious and often ignorant priests have fastened upon it in order to serve their own impious ends.

In summary, Lord Herbert displayed a complete and almost naïve confidence in the efficacy of reason in the solution of the profound spiritual problems which had so long oppressed mankind. There is in his thought a fearlessness born of unbelief and a darkly hostile detestation of clericalism springing from the conviction that the clergy had endeavoured to fetter the reason of men. Herbert withdrew so far from the religious preoccupations of his age that his thought was to gain a remarkable objectivity which made it appear more profound to his century than it really was. He lacked both the mental equipment and the industry to give to comparative religion the systematic investigation which he proposed in the *De Veritate*. His digest of the essentials contained little that was original, and far nobler men had long since broken the way towards this solution of the religious problems of the century. Lord Herbert's career was perhaps most significant for the fact that a distinguished public figure had joined the ranks of

¹ Herbert, *Appendix ad Sacerdotes* (L., 1645).

² Gütter, *Herbert von Cherbury*, 105.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the Rationalists and that he had attacked with very little reservation spiritual prerogatives and spiritual ends which for centuries had been regarded as sacrosanct.

6. ROBERT GREVILLE, BARON BROOKE, 1608-1643

Herbert remains the most distinguished but scarcely the most attractive or significant Rationalist in the period of our survey. Of far nobler stature was Robert Greville, Baron Brooke, whose slender literary remains reveal a clear, tolerant, and powerful intelligence. Brooke was deeply influenced by the Platonic conception of truth. Religious truth, he held, is one though it is diversely scattered throughout creation and amongst all sects. The search for truth is an heroic, though perhaps vain, effort to gather up its scattered fragments and to knit them into a whole.¹ No man can dedicate himself to this task without sloughing off the restraints and blindness of faction and raising himself with philosophical detachment above party narrowness. Man's only resource in this divine quest is his reason, which must remain completely untrammelled. As we advance in our knowledge of truth the petty differences and apparent inconsistencies in nature and in religion fall away and we discover the essential unity of truth. We should therefore press forward in the pursuit of truth with joy and high resolution, "knowing that that distinction of misery and happiness, which now so perplexeth us, hath no being, except in the brain."²

Brooke's philosophical convictions explain the bitter hostility to the Laudian prelacy expressed in his *Discourse opening the nature of that episcopacie, which is exercised in England* (1641). He held that no power on earth might coerce either man's practice or his judgment in religion. The extreme disciplinary power that the Church enjoys "is but expulsion, or excommunication: which yet I suppose may scarce ever be exercised on one that so doubteth: much less fine, imprisonment, losse of member, or life."³ Nor may the State legitimately punish men for their religious beliefs or practices unless the effect of

¹ Brooke, *The Nature of Truth* (L., 1640), cs. vi-vii.

² *Ibid.*, 118.

³ Brooke, *Discourse*, 33.

THE LAYMEN AND THE MODERATES

their worship is destructive to society. Moreover, no man may justly be disturbed if his reason leads him to honest doubt, since none but God can clear the understanding.¹

Brooke had no patience with the argument that a deplorable increase in heresy and error would follow the granting of complete liberty of judgment and freedom of worship. Heresy, he urged, is inevitable and perhaps desirable.² In any case, the orthodox argument has no validity because it is based upon the mistaken notion that Christian unity may be attained by force. An inquisition can, it is true, gain an apparent unity, but it is "an unity of darknesse and ignorance: so that the remedy proves worse than the disease."³ England can never cure the evils which disrupt religion until she emulates the example of the United Provinces and allows complete liberty to every Church within the bounds of civil order and decency. Bigotry and persecution have ruled all too long in England, and it should be evident by this late time that these instruments employed in the name of unity have in fact fomented schism and heresy.⁴

The tyranny which has for so long beclouded the face of religion in England must be annihilated. Men must be left free to seek truth no matter what form it may assume. That which is commonly denominated heresy simply indicates that the fragments of truth are held diversely in the minds of men. It is infinitely better to risk the rise of Arminianism, Socinianism, and superstition than to enthrall England longer.⁵ Nor should we be too appalled by the judgments and the warnings of the orthodox. The bishops have been particularly vehement in their denunciation of the Anabaptists and the Brownists. Yet, Brooke observed, the principal tenets of both sects are susceptible of considerable reasonable and Scriptural support,⁶ and he could "heartily wish some pitty might bee shewed to these poore mens soules."⁷

There can be no doubt, Brooke admitted, that disorderly worship and unrestrained evangelical zeal are harmful and undesirable. These regrettable manifestations, he seemed to

¹ Brooke, *Discourse*, 34-35.

² *Ibid.*, 90-94.

³ *Ibid.*, 94.

⁴ *Ibid.*, 95.

⁵ *Ibid.*, 99.

⁶ *Ibid.*, 100-103.

⁷ *Ibid.*, 103.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

feel, were the consequence of religious fanaticism which would gradually be dissipated under conditions of tolerance. But in any case, "fire and faggot" provide no solution to the problem.¹ We gain the light of truth but slowly and painfully, and the way will be permanently barred unless the Gospel may be freely searched and preached.² We usurp the prerogative of the Almighty God and restrain the full unfolding of His will when we seek to limit or to dictate the religious belief or worship of men. With fine feeling Brooke pleaded for the tolerance and dispassion which so nobly marked his own thought—"my desire, prayer, indeavour" shall be "to follow peace and holinesse, and though there may haply be some little dissent betweene my darke judgement, weake conscience, and other good men; . . . yet my prayer still shall be to keepe the unity of the spirit in the bond of peace."³

In the Puritan Brooke we discover a lofty neo-platonic mysticism stiffened by a sturdy rationalism and a keen practical concern with the religious crisis of his day. Lord Brooke took a universal view of religion and from this high vantage-point the bickering of fanatical sects appeared stupid, while the coercive philosophy which they professed seemed criminal. We may discover truth only in the quiet security of free investigation and contemplation. The human spirit must be allowed to wander where it will in the search for truth and faith. Coercion will serve only to destroy man's nobility and to perpetuate differences of opinion in rigid systems of opposed dogma. Brooke taught that England had been brought to the brink of war because of spiritual tyranny, and pleaded for the complete freedom of all men to believe and worship as they chose in order to prevent the threatened catastrophe.

7. SIR THOMAS BROWNE, 1605-1682

Lord Brooke had as a statesman endeavoured to persuade England that in the path of reason and moderation alone would she find peace. There was in all of his writings something of the crusader's zeal. Of very different temper was his great

¹ Brooke, *Discourse*, 109.

² *Ibid.*, 121.

³ *Ibid.*, 123-124.

THE LAYMEN AND THE MODERATES

contemporary, Sir Thomas Browne, whose thought we shall now examine.

Browne was born in London in 1605 of a well-to-do family and was educated at Winchester and Oxford. He began the study of medicine while at the university and after his graduation pursued his studies further at Montpellier, Padua, and Leyden. Upon his return to England he engaged in medical practice in Yorkshire for a few years, but after taking his degree in medicine at Oxford in 1637 he settled in Norwich, where he practised his profession during the remainder of a long life. He was a man of considerable means, quiet and contemplative by nature, and genuinely devoted to his books and to learning.

Browne's greatest philosophical work, the *Religio Medici*, was written probably as early as 1635, and before its surreptitious publication in 1642 several manuscript copies of the work had been widely circulated. In the next year the author published a slightly different text of the book, and the work immediately excited widespread attention in England.¹ The announced purpose of the *Religio Medici* was to vindicate the medical profession from the charge of atheism. The book hardly achieves that end, however, and may be regarded rather as a revealing and intimate statement of the author's own doubts and strivings after truth. Browne was possessed of a sensitive and thoughtful intelligence, and we see mirrored in the *Religio Medici* the manifold forces which were moulding English thought into new forms. The apprehension and distaste which intolerant sectarianism was producing amongst intelligent men; the rising spirit of inquiry and rationalism; and the noble latitudinarianism and moderation which were being raised as the reply to bigotry are everywhere manifest in Browne's writings. The author did not seek to present a finished system of thought, but rather to portray faithfully the processes by which a sensitive man in the period just before the Civil War had managed to find peace in an age of clamour and bickering. It is for this reason that the charges

¹ The work, which was translated into Latin in 1644, excited considerable interest on the Continent, particularly in France. We have employed the text in Vol. I of Geoffrey Keynes's edition of Browne's *Works* (L., 1928).

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

of inconsistency which have so often been levelled against Browne display a fundamental lack of understanding of the nature of the *Religio Medici*.

The *Religio Medici* was a noble defence of the right of individual criticism and the sanctity of freedom of belief. Browne was not a fully emancipated rationalist, but within the range of his experience and observation he sought to be guided solely by the light of his own intelligence. He says repeatedly that he is a Christian and he acknowledges a large measure of obedience to the Church. Every man's soul is the theatre of a perpetual conflict between the claims of faith and reason, and the wisdom of the Church may enable us to believe in truths which our reason has not yet discovered. But the choice between faith and reason rests with the individual man and not with the dictates of an external authority.¹ For himself, Browne confesses, his religion rested upon reason rather than upon faith. He has found religious truth, not by accepting the accidents of birth and education, but by having "seen and examined" all of the rival claimants to his faith.² He has sought "to collect his divinity" from the Word of God and from the rationalistic observation and contemplation of nature. He has been guided and assisted by the Spirit of God which binds all men together and which "plays within us."³ Browne held that men could be guided by reason only when they had swept their minds clear of passion and bigotry. The attainment of a reasoned faith depends upon a dispassionate and tolerant temper of mind. Thus when a dispute is tinged with passion reason is debarred and prejudice and bigotry prevent the solution of the problem.⁴ Sweetness of temper and charity alone will stop this degeneration. For himself, Browne wrote, "I could never divide my self from any man upon the difference of an opinion, or be angry with his judgment for not agreeing with me in that from which perhaps within a few days I should dissent my self."⁵ Most of the disputes which have torn the Christian world are not worthy of the passions expended upon them. For it should be known that "the foundations of religion are already established, and

¹ Hunt, *Religious Thought*, I, 363.

² Browne, *Religio Medici*, 5.

³ *Ibid.*, 40.

⁴ *Ibid.*, 77.

⁵ *Ibid.*, 9.

THE LAYMEN AND THE MODERATES

the principles of salvation subscribed unto by all: there remain not many controversies worth a passion."¹

The fundamentals of faith, Browne argued, are simple and are probably held by all Christians. The controversies and intolerance which characterize the Christian world are consequently both useless and harmful. They have been fomented by scholars concerned far more with the furthering of their own reputations than with the discovery of truth.² No man can justly condemn another for his beliefs because we have no possible means for testing or evaluating the opinions of other men.³ Religion is spiritual and individualistic and we should emancipate the reason of all men in order that they may seek and find truth. Reason alone can resolve our doubts and fears, and we should reflect that an external authority is powerless in its efforts to cure heresy. Persecution may for a season drive an heresy underground but it will return again since "opinions do find, after certain revolutions, men and minds like those that first begat them."⁴

Browne's rationalism drove him to that individualism which was characteristic of all the Moderates in our period. We should be content with the attainment of that truth which meets with our own requirements while viewing the beliefs of other men with charity and good will. Intolerance has spawned inflexible pronouncements on matters about which we have no certain knowledge. It has proceeded, too, from that bigotry which characterizes those who seek to reduce all belief to a rigid pattern of dogma. Thus we tend to censure men who disagree with our own views, and to commend those whose opinions are a reflection of our own.⁵ We must teach ourselves to suspend judgment and to be content with that measure of truth to which we have attained. Browne testified that though he was certain he held saving truth, he could not swear to that certainty under oath.⁶ Truth is widely dispersed and our knowledge of it is fragmentary and distorted. There have been many reformers and many reformations in religion, and

¹ Browne, *Religio Medici*, 77.

² *Ibid.*, 78.

³ *Ibid.*, 79.

⁴ *Ibid.*, 11.

⁵ *Ibid.*, 80.

⁶ In the same way he declared that he was certain that there was a city of Constantinople, but since he had never been there he could not swear to this fact without fear of perjury. (*Ibid.*, 70.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

it would seem that each country has set up that particular religious system which best meets its natural needs.¹ Under these circumstances harsh and intolerant judgments in religious matters betoken a narrow and irrational temper of mind.

This view of religion made Browne a remarkably tolerant and charitable man. Perhaps no writer in our period exhibited a finer and more catholic charity than he. Though his tolerance was intellectual rather than religious in character, it was complete. As LeRoy has well said, "La tolérance de Browne est un état d'esprit manifeste. Mais elle n'implique pas nécessairement chez lui le détachement de ses opinions ou l'incertitude de ses principes. Elle était le fruit d'un long commerce avec les livres et les idées, se combinant avec une nature spontanément pacifique et avec les expériences assouplissantes d'un séjour prolongé au dehors."² In a word, Browne exhibits the finest traits of humanism and of urbanity. He wrote, "Neither doth . . . my zeal so far make me forget the general charity I owe unto humanity, as rather to hate than pity Turks, Infidels, and (what is worse) Jews; rather contenting my self to enjoy that happy stile, than maligning those who refuse" the glorious title of Christian.³ He would condemn no race and no creed.⁴ Even the Roman Catholics, he wrote, though their faith has been corrupted, are one in faith with other Christians, and "I am not scrupulous to converse and live with them, to enter their churches in defect of ours, and either pray with them, or for them."⁵

The second part of the *Religio Medici* opens with a moving exposition of the author's creed of charity. He looks upon no man, no custom, no habit, and no being with hatred or intolerance. He expresses complete devotion to his friends,⁶ to men of all nations,⁷ and to those sects not in agreement with the Church of England. There is saving grace in all men and good in all things, even when they appear to be completely evil. Thus "in venomous natures something may be amiable: poysons afford antipoysons: nothing is totally, or altogether

¹ Browne, *Religio Medici*, 8.

² LeRoy, Olivier, *Le chevalier Thomas Browne*, 116-117.

³ Browne, *Religio Medici*, 5.

⁵ *Ibid.*, 6.

⁶ *Ibid.*, 80-81.

⁴ *Ibid.*, 33-34.

⁷ *Ibid.*, 5.

THE LAYMEN AND THE MODERATES

uselessly bad."¹ If there is any thing that the Christian should view with loathing it is the multitude, which Browne regarded as the hydra-headed enemy of reason. Men must seek to throw off the weight of tradition and the crushing influence of mob psychology. In charity and reason they will find nobility and tolerance. Browne had so far advanced along this way that he could testify, "I cannot fall out or condemn a man for an error, or conceive why a difference in opinion should divide an affection; for controversies, disputes and argumentation, both in philosophy and in divinity, if they meet with discreet and peaceable natures, do not infringe the laws of charity."²

Browne's conception of the Church was quite as broad as was his tolerance. While he professed allegiance to the Church of England, he clearly believed that all good men through the ages had possessed sufficient truth. He completely discarded the narrow institutional conception of religion which had for so long dominated European thought. He very nearly said that heaven³ and hell⁴ exist within our own nature. God has provided a means of grace for all good men and it is inconceivable that "those honest worthies and philosophers" who died before Christ promulgated His Gospel have not somehow been saved from the pains of hell.⁵ God's mercy is all-embracing and we have erred in conceiving it as too limited and in confining His truth to particular factions and Churches.⁶ The differences which separate us are more remarkable in our eyes than in the eyes of God, for we have become so mired in faction that we have lost our spiritual perspective. We have distorted and warped religious truth to partisan ends until today "the Church of Rome condemneth us, we likewise them; the sub-reformists and sectaries sentence the doctrine of our church as damnable; the Atomist, or Familist, reprobate all these, and all these, them again. Thus, whilst the mercies of God do

¹ Browne, *Christian Morals, Works*, I, 114.

² Browne, *Religio Medici*, 77.

³ *Ibid.*, 60-61.

⁴ *Ibid.*, 63-64.

⁵ *Ibid.*, 66.

⁶ "I do desire with God that all, but yet affirm with men that few, shall know salvation; that the bridge is narrow, the passage strait, unto life: yet those who do confine the Church of God, either to particular nations, churches, or families, have made it far narrower than our Saviour ever meant it." (*Ibid.*, 68.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

promise us heaven, our conceits and opinions exclude us from that place . . . and thus we go to heaven against each other's wills, conceits and opinions, and, with as much uncharity as ignorance, do err, I fear, in points not only of our own, but one another's salvation."¹ To attempt thus to define God's truth and to limit His mercy is to display the insolence of devils.²

Browne's tolerance was derived from his conception of Christianity and from his unmitigated detestation of bigotry. The very nature of religion demands that men live at peace and in freedom in order that they may find and exercise their faith. Religion cannot be planted in men's hearts when the temper of an age is bigoted and harsh. Force serves only to drive men deeper into their errors. Persecution has confirmed the Turks and Jews in their unbelief, for "they have already endured whatsoever may be inflicted, and have suffered in a bad cause, even to the condemnation of their enemies."³ Persecution has ever been the tool of "angry devotions" and has raised as many martyrs in the camps of error as in the hosts of truth.⁴

It is refreshing indeed to reflect that England could produce thought of this quality during the height of the Laudian repression. Browne represents the finest union of the strands of humanism and of rationalism in the seventeenth century. His writing was not systematic; his thought was filled with doubts and unanswered queries; but his spirit was calm and his inquiring intelligence threw a strong and mature light into some of the darkest crannies of seventeenth-century thought. He discarded completely the claims of authority in religion, save as its precepts were of assistance to the individual Christian. The Church should be a staff for the weak and not a rod on the backs of the self-reliant. Man cannot hope to gain truth unless he begins his search with an open mind whose horizon is as wide as the universe itself. When man has found truth through such dispassion his intelligence will have become so humble and his charity so rich that he will realize that the truth which he has attained may after all be subjective and not universal. Religious truth can be expressed in no larger terms

¹ Browne, *Religio Medici*, 68-69.

² *Ibid.*, 69.

³ *Ibid.*, 34.

⁴ *Ibid.*, 34-35.

than the needs of the individual, because religion is concerned with the salvation of the individual. Browne was therefore impelled to denounce all persecution as evil and to hint at a conception of the Church so broad as to include good men of all ages and races. And it may be said in a larger sense that this was the great contribution of moderate thought to the development of the theory of religious toleration.

E. THE ERASTIANS, 1603-1640

I. GENERAL CHARACTER OF ERASTIAN THOUGHT, 1603-1640

During the seventeenth century that lay point of view which has been generally designated as Erastianism, and which was to receive its fullest and most logical treatment in the thought of Hobbes, was developing rapidly and by 1640 had gained a very wide influence. Before commenting on the general characteristics of this group we shall endeavour to trace the earlier development of Erastianism.

Erasmus, who has but an indirect connection with English Erastianism, was a Swiss who in 1557 accepted the newly founded professorship of therapeutics at Heidelberg.¹ A year later this distinguished medical scholar was chosen rector of the university and entered into the theological controversy which was then engaging the attention of the faculty of the university and of the clergymen of the city. Heidelberg was at that time the centre of a feverish theological speculation which was complicated by the fact that almost every shade of Christian thought found adherents amongst the citizenry. Erasmus soon established himself as the leader of the moderate Zwinglian group, which was threatened in 1559 by the accession of the staunch Calvinist Frederick III as elector. The Calvinists of the city immediately undertook to secure the establishment of a strict system of doctrinal and disciplinary uniformity which should be enforced through the power of excommunication. Erasmus vigorously opposed this proposal, pointing out that the

¹ Figgis, J. N., *Erasmus and Erastianism*, *Journal of Theol. Studies*, II, 68. Our discussion of the career and views of Erasmus rests in large part upon this brilliant essay.

first task of the Calvinists was to convert the inhabitants to their faith, and that, in any case, evidence could not be advanced from the Scriptures in support of the *jure divino* system of discipline which undergirded the Calvinistic church structure.¹

The controversy was kept within moderate bounds until in 1568 George Wither, an extreme English Puritan, who had been obliged to flee from England, arrived in Heidelberg and immediately entered the controversy with an impassioned defence of the orthodox position. Erastus replied with a number of carefully framed theses designed to restrict the discussion to the local situation and scrupulously avoiding reference to the larger problems involved. The great Calvinistic controversialist Beza quickly undertook a refutation of his positions, however, and the controversy immediately assumed European significance.

Erastus had indicated that the Calvinistic conception of the Church reduced the State to the role of its servant and that unless this claim to prescriptive coercive power were checked, both the Church and the State would suffer grievously. In particular, he examined the Calvinistic doctrine of excommunication, suggesting that no professor of the Christian faith should be barred from participation in the sacrament of the Eucharist, since the express desire to participate was in itself a sufficient indication of repentance. He examined closely the sources of disciplinary power and concluded that the limit of ecclesiastical discipline was the right of censure, since the State alone enjoyed a punitive power. Therefore, he argued, in a State where the true faith is universally professed, the coercive power which guards its purity must reside in the State, while the function of the Church should be limited to preaching, teaching, and the administration of the other purely spiritual duties of the clerical vocation.

Erastus consciously restricted his discussion to the limited problems which had arisen in Heidelberg. But the controversy there had been followed with keen interest by Whitgift, who was at that time engaged in an important dispute with the leader of the Presbyterian party in England.² The archbishop dis-

¹ Figgis, *Erastus and Erastianism*, *Journal of Theol. Studies*, II, 70-71.

² Jordan, *Religious Toleration*, I, 137-151.

covered much in Erastus's point of view which reflected the religious philosophy of the Elizabethan Establishment. In 1589, therefore, Erastus's writings on the subject were first published, probably in London, under the title *Explicatio gravissimae quaestionis, utrum Excommunicatio, quatenus Religionem intelligentes et amplexantes, a Sacramentorum usu, propter admissum facinus arcet; mandato nitatur Divino, an excogitata sit ab hominibus*, and the centre of Erastian development shifted almost immediately from the Rhine to England and Holland. There is good reason for believing that Whitgift had encouraged the publication of the *Explicatio* and it is probable that the publishers were rewarded by a grant from the Privy Council.¹

We have already had occasion to notice the widespread revolt which had taken place against Calvinistic orthodoxy in Holland at the turn of the century, and have pointed out that the Arminian party in its desperate struggle against orthodox intolerance had appealed to the State on a frankly Erastian basis to intervene in the religious strife which threatened to engulf the United Provinces.² The Erastian position as developed by Episcopius, Grotius, and Althusius was very rapidly expanded far beyond the narrow considerations of Erastus. These thinkers called upon the State so to order religious life and worship that protection might be afforded to all Christian communions. The Arminian development of the doctrine was cut short by the 'Erastian' decision of the Government to intervene in the interests of orthodoxy, and Erastianism in its seventeenth-century meaning was to receive its classical development in England.

Erastus had dealt with the problem of religious life in a State which professed one faith, and this aspect of his teachings was of singular interest to Whitgift and Hooker. By the time of James's accession, however, it was gradually becoming apparent that England was not, in fact, one Church, that the goal of uniformity of faith could not be realized, and that it was very unlikely that conformity of worship could be attained. English religious thought throughout our period may be said to centre its discussion around these problems. Almost against its will

¹ Selden, John, *De Synedriis, Opera* (1726), I, ii, 1016–1020.

² *Vide ante*, 319–349, esp. 327–338.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the English Government was being driven to intervene between Churches in the interests of civil order, while tending, at the same time, to disclaim any responsibility for the general spiritual direction of the Church in all of its aspects. It must be emphasized that English Erastianism was consequently negative in its character. It was the refuge of patriotic men who saw all too clearly the dangers inherent in the attempt of the Government, under Laud's direction, to enforce religious conformity. During the reign of Elizabeth and her successor, the policy of comprehension to which the Government was committed received the full support of the Erastians, who regarded the lay sanity of the State's policy as the best guarantee against the fanatical pretensions of the extreme Puritans and the equally dangerous position of the advanced prelatical group. The interest of the Erastian party was principally focused on the maintenance of civil order and religious moderation. It is for this reason that the Erastians in England were closely identified with the Rationalists and the Moderates.

The Erastian philosophy found its cohesion in the principle of civil order at all costs. It was accordingly willing to compromise, was somewhat diffuse in its system of thought, and was tolerant rather by indirection than by principle. When it became apparent during the reign of Charles I that the Government had allied itself with a minority faction and had undertaken a 'positive Erastian' programme, much of the support of this group was alienated and for rather more than a decade men of this philosophy found refuge in the camps of the Rationalists and Latitudinarians. When the danger of Laudian tyranny was supplanted by the even more ominous threat of a rigidly imposed Presbyterian discipline, English thought again rallied to the defence of a moderate civil Government to which was conceded the sanction of power with the understanding that bigotry was to be restrained and the rights of the individual conscience protected.¹

It may be said, in summary, that the English Erastians would

¹ It is significant that the discussions in the Westminster Assembly centred around the questions of discipline. The threat of a rigid Presbyterian system drove the Erastians and the Independents into a strange but effective alliance. This interesting development will receive full discussion in a subsequent volume.

THE LAYMEN AND THE MODERATES

have placed the control of organized religion completely in the charge of the civil State. The importance of Erastianism to the development of religious toleration resides in the fact that it indicates a powerful lay reaction to clerical bigotry and to the disorders which would follow upon the attempt of an intolerant church system to impose its worship through coercive discipline upon equally inflexible minorities. It represents a very significant disposition to shift religious sovereignty from the clergy to the State, with the clearly implied assurance that the officers of the State will legislate in the interests of the country at large while they firmly resist the importunities of clerical advisers. It follows that when it becomes apparent that uniformity is not an attainable ideal an Erastian Government will intervene in the conflict of opposed intolerant sects in order to pull the teeth of clerical bigotry. The State's attention will be focused upon the maintenance of civil peace rather than upon the support of a religious system deemed to be the true Church of God. Erastianism was a sword which could be wielded to cut both ways. The Government could arrogate religious power to itself in order to extirpate heresy, control morals, and advance the true faith; or it could, quite as logically, once the basis of its sovereignty had been granted, frame and enforce an ecclesiastical order which would impose a tolerant and comprehensive system, employing coercion against those individuals or sects which refused to abandon the ancient ideal of religious uniformity. English Erastianism and English thought in general were disposed more and more to this latter view, which was ultimately to expand into a fruitful force in the development of religious toleration.

2. SIR FRANCIS BACON, 1561-1626

The Erastian point of view received early and able development in the thought of Lord Bacon. It has been suggested by numerous writers that Bacon's religious thought tended to reflect the requirements of political ambition, but this accusation is belied by the fact that in no other particular was Bacon so consistent or so outspoken. At no time did he give full or systematic consideration to the religious problems of his age,

but his religious thought cannot be dismissed as lightly as some critics suggest.

Bacon's philosophical thought has been so exhaustively and ably explored that we shall need examine only the philosophical basis for his attitude towards religion. Bacon was in a sense the founder of utilitarianism, for his thought was postulated upon the thesis that philosophy should yield practical results. He considered the search for abstract truth, whether in philosophy or in theology, as barren. "I find," he wrote, "that even those that have sought knowledge for itself, and not for benefit or ostentation or any practical enablement in the course of their life, have nevertheless propounded to themselves a wrong mark, namely satisfaction (which men call truth) and not operation."¹ Truth, however, is not barren. It will, when discovered, yield men rich benefits and it is this promise which spurs men on in their search for truth. Truth will greatly expand the power and the happiness of man, and through its attainment he may hope eventually to gain mastery both of the physical universe and of his own nature.

In phrases which remind us of the Latitudinarians and the Rationalists, Bacon stressed the necessity of stripping the mind of the accumulation of tradition, prejudice, and bigotry if we are to proceed towards the attainment of truth. The philosopher must gain a state of objectivity, viewing himself and the universe about him with complete dispassion. In his famous discussion of the Idola which blind men and warp their judgment, Bacon displayed the rationalism underlying his thought. The phantoms which cling like leeches to the mind and instinct must be swept away before man can advance towards the attainment of truth. Man must be guided solely by his own reason and must set his face against the claims of external authority. It is this attitude which sets the philosopher apart from the multitude, which "has never sought truth, save for amusement, and has been content to accept in its stead the dogmas of philosophers." The advancement of knowledge has been stifled by the absorption of men's attention by theology and moral philosophy, the fear and hostility of superstition, "the devotion of the universities to narrow and stationary studies, the prejudice and

¹ Bacon, *Valerius Terminus of the Interpretation of Nature, Works*, III, 232.

THE LAYMEN AND THE MODERATES

wilful despair of mankind," the vagueness of words, the quackery of imposture, and a contempt for works and experiments as being beneath the dignity of human nature.¹ Bacon disclaimed any special knowledge of theology, but pointed out that his observations applied in the field of religion as truly as in that of science. The advancement of religion has been retarded by bigotry and authority, and an attitude of dispassionate search must prevail if we are to gain spiritual ennoblement. For in religion, as in science, the thinker who views a problem with detachment can arrive at a more valid conclusion than he who is engrossed in the problem.² Bacon's consideration of religious questions was all too scanty, but when he did turn with what was almost an oblique view to the problems which harassed his age, his discussion "displays a more liberal and catholic spirit than was often to be met with in a period signalized by bigotry and ecclesiastical pride."³

Bacon is to be distinguished from the Rationalists principally by the sharply drawn dualism of his thought. He differentiates clearly between the province of philosophy and the realm of religion, holding that the latter is a matter of arrangement by God and consequently by its very nature not susceptible to the examination and criticism of human reason.⁴ As Fischer states the position, in a somewhat exaggerated form, to Bacon "philosophy within the sphere of religion is infidelity; religion within the sphere of philosophy is fantastic."⁵ Faith is attained through revelation, and revelation Bacon regarded coldly as entirely beyond human comprehension and contrary to human reason. "Bacon wished to avoid all border wars between faith and science; not only because they would have been hazardous and inconvenient, but because he did not see any utility, any practical advantage to be derived from such disputes."⁶ He was therefore prepared to relegate the theological questions which had for so long troubled the minds of men from the

¹ Bacon, *Cogitata et visa, Works*, III, 596-597.

² Bacon, *Certaine considerations touching the better pacification, and edification of the Church of England, Works*, X, 103.

³ Hallam, *Literature of Europe*, III, 50.

⁴ Abbott, E. A., *Francis Bacon*, 442-443.

⁵ Fischer, Kuno, *Francis Bacon of Verulam*, 293.

⁶ *Ibid.*, 308.

realm of reason to that of faith. He wrote, "Sacred theology . . . is grounded only upon the Word and oracle of God, and not upon the light of nature."¹ We apprehend these mysteries through faith and faith is at bottom anti-rational. Consequently, reason can no more attempt to examine the mysteries of faith than it can dispute the rules of a game, as, for example, the rules of chess. However, once the principles of faith are admitted, reason may be employed to illustrate them and to deduce from them inferences which govern conduct.²

It can scarcely be argued that this attitude did not cloak a real scepticism, and the powerful influence which Bacon's philosophy and method were to exercise contributed importantly towards the development of the sceptical temper of mind. For when religious truth is held to be unsusceptible of rational proof, when it has been reduced to faith subjectively apprehended, and when the majestic theological systems upon which men have laboured for a full millennium have been thus contemptuously dismissed, the basis of religious infallibility and, it follows, of religious intolerance has been swept away. We may expect from this philosophical background that Bacon's religious thought will be cool, detached, and tolerant.

Bacon's contribution to the development of the theory of toleration lies in his application of a sceptical and rationalistic intelligence to the religious problems of his age. It was his opinion that religious peace and civil security could never be attained in England until men conceived the Church in a comprehensive manner and until they learned to handle religious controversies in a moderate and tolerant spirit. He entertained a deep-seated distrust of the clerical intelligence and charity, and recommended that the State should intervene in the religious struggle to order the spiritual life of England in such wise that the tolerant and comprehensive unity of which he dreamed might be gained. We shall now examine the development of these principles in his various writings.

As early as 1589 Bacon observed that the erstwhile moderate demands of the Puritan party for reforms were rapidly shifting, under the weight of repression, to an attack on the entire

¹ Bacon, *Advancement of Learning* (ed. F. G. Selby, 1895), II, 167.

² *Ibid.*, II, 169-170.

THE LAYMEN AND THE MODERATES

structure of the English Church. Perhaps no other thinker in England appreciated as fully as did he the gravity of the schism within the Church. He felt that a further enlargement of the comprehensive bounds of the Church was necessary, that all reasonable demands for reformation should be granted, and that the Church should undertake to absorb the vigour and the piety of the protesting party.¹ He was particularly alarmed by the virulence of the Martinist controversy and in 1589 offered his programme of comprehension and moderation in the *Advertisement Touching the Controversies of the Church of England*.² Bacon bitterly censured the radical Puritans for their brawling and contentious manner, but the work was couched in a temperate tone and it was clear that Bacon's chief concern was with the peace and order of the commonwealth.³ He wrote "like a sensible Erastian, with Puritan inclinations, who has a profound belief in the value of the Christian religion, and an equally profound indifference to small details of church government."⁴ Throughout the work his complete detachment was apparent, and he expressly disavowed any intention of entering into the controversies of the period, which he described as a "disease requiring rather rest than any other cure."⁵ The controversies threatening the disruption of the Church were, he declared, not concerned with the fundamentals of faith but with indifferent or external matters of little moment.

Religious questions of grave import should be handled with dignity, tolerance, and patience, while inconsequential matters should be handled hardly at all. But in England the controversy is being conducted "in the style of the stage" and the brawling and contention has kept "the wound green, and formalizeth both sides to a further opposition, and worketh an indisposition in men's minds to be reunited."⁶ It is very

¹ Spedding, Int. to *Advertisement Touching the Controversies of the Church of England*, Bacon, *Works*, VIII, 72.

² The work was not then published and was apparently intended for private circulation. It was first printed in 1640, when the question of religion had become acute. It was published a second time in 1663, when the problem of toleration for Protestant dissenters was under discussion.

³ Robertson, J. M., *Bacon as Politician*, *Contemporary Review*, CII, 341.

⁴ Abbott, *Francis Bacon*, 25.

⁵ Bacon, *An Advertisement*, *Works*, VIII, 75.

⁶ *Ibid.*, VIII, 76.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

difficult, Bacon admitted, for men fervently devoted to particular religious views to defend them with cool and dispassionate objectivity.¹ But the majesty of religion should be reflected in the spirit with which we engage in its defence.² When controversies are prosecuted with rancour and zeal the goal of truth is obscured and the momentum supplied by bigotry results in the steady divergence of the two groups concerned.³ Men are by their nature attracted to violent opinions and "transeunt ab ignorantia ad praejudicium."⁴ Extreme breeds extreme until finally truth is measured by the distance separating it from what is conceived to be error. It was this evil disposition which led the Reformed Churches to discard both the good and the bad in the institutions of the Church of Rome.⁵

After this able defence of moderation, Bacon turned to an examination and criticism of the psychology and general position of the two extremist parties, which were, in his opinion, threatening to break the unity of the Church of England. Thus the Puritans, driven forward by zeal, have in a few years passed from a praiseworthy desire to reform certain admittedly indifferent matters to the questioning of the validity of the Establishment, and indeed, in some cases, have denominated it a false Church.⁶ On the other hand, the extreme Anglicans have so far advanced that the ceremonies which they once regarded as indifferent they now vehemently defend as sacrosanct and immutable.⁷ They have conceived the Church as hard and fixed in its doctrine and discipline, refusing to admit that it should remain flexible and susceptible to change and reform as historical conditions and the advance of knowledge may require. The bishops have shown no more charity and tolerance than the violent Puritans. They have refused to admit that the

¹ "For men cannot contend coldly and without affection about things which they hold dear and precious. A politic man may write from his brain, without touch and sense of his heart, as in a speculation that pertaineth not unto him; but a feeling Christian will express in his words a character either of zeal or love." (Bacon, *An Advertisement, Works*, VIII, 76.)

² *Ibid.*, VIII, 77.

⁴ *Ibid.*, VIII, 82.

⁶ *Ibid.*, VIII, 86.

³ *Ibid.*, VIII, 79.

⁵ *Ibid.*, VIII, 83-84.

⁷ *Ibid.*, VIII, 86-87.

THE LAYMEN AND THE MODERATES

reformed party could make any contribution to English religious life,¹ and they have been trivial and mean in the enforcement of conformity, forgetting that "laws are likened to the grape, that being too much pressed yield an hard and unwholesome wine."²

Intolerance has bred intolerance and, unless the counsels of moderation prevail, extremism will proceed so far that the civil order will be disturbed and the comprehensive unity of the Church destroyed. Already the Puritans lay claim to an infallible and exclusive truth and by their own definition brand all those who disagree with them as popish. "The Word (the bread of life) they toss up and down, they break it not." Most of their charges against the Establishment are vague and dogmatic, and they have refused "to clear the whole matter with good distinctions and decisions."³ They seek "express Scripture for everything" and attain it, as all men may, by bending it to their own uses. By these means two extreme and intolerant factions have veered off from the moderate and comprehensive structure of the Church of England, and they are steadily weakening the core of unity of the Church. Such fanaticism must be restrained, and since Bacon had no faith either in the moderation or in the reasonableness of the devout his solution was frankly Erastian. He stood almost alone in appreciating the results of the disintegration of Protestant unity. The Church of England must be widely comprehensive or it will immediately cease to be national.⁴ Bigotry and intolerance must be beaten down, the bounds of the Church must be widened to include all reasonable men, and the sectarian tendencies which he observed must be curbed by the firm hand of the magistrate, who must regulate zeal and guide ecclesiastical policy with a cold dispassion and intelligence amounting to disinterest. The people are not fitted and, indeed, are incapable to determine the grave issues which controversy has raised. Immediate steps must be taken to check the spread of "this strange abuse of antics and pasquils." Peace

¹ Bacon inquired, "Ought they not . . . to keep one eye open to look upon the good that these men do, but to fix them both upon the hurt that they suppose cometh by them." (Bacon, *An Advertisement, Works*, VIII, 89.)

² *Ibid.*, VIII, 90.

³ *Ibid.*, VIII, 92.

⁴ Trevelyan, *England under the Stuarts*, 81.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

and unity must be attained through the counsel and influence of such as have wisdom and good temper.¹

The *Advertisement Touching the Controversies of the Church of England* was the work of a young man still under thirty. Two decades later, after the Powder Plot had raised ugly emotions in England and after it had become apparent that the Government had abandoned the fine moderation characteristic of the Elizabethan ecclesiastical administration, Bacon returned to his consideration of the necessity for comprehension and tolerance. His thought was maturer and was tinged with a deeper scepticism and distrust of religious zeal. England, he wrote, must meet the necessity of fixing the "bounds of unity." Extremism has grown apace and there are many to whom "peace is not the matter, but following and party."² The disposition of the age has been to prosecute the differences separating the various religious groups in England while neglecting the unity underlying Christian thought and worship. Men no longer refuse to rend the Church about matters of such small concern that they are "not worth the heat and strife" with which they are discussed. Many of the disputed matters, on the other hand, are so obscure that diffusion and confusion of thought have resulted. In these matters it may well be that in the sight of God the two parties which are belabouring each other with so much vehemence are in reality in agreement.

Undue zeal and fanaticism blind men to the essential verities and destroy their sense of proportion. There are a few fundamental truths to which Christians must adhere, but beyond this basis of unity liberty is enjoined. "For the bonds of the Christian communion are set down," one Lord, one Faith, one Baptism, "not one ceremony, one opinion. So we see that the coat of our Saviour was without seam, but the garment of the Church was of divers colours."³ It is of the greatest importance that we should tolerate all but the grossest errors of opinion and judgment. The disciplinary weapon of excommunication should be employed with extreme discretion, "and if any one think that this has already been done, let him think again and again, and say whether it has been done with sincerity and

¹ Bacon, *An Advertisement, Works*, VIII, 94.

² Bacon, *Of Unity in Religion, Works*, VI, 382.

³ Bacon, *Works*, V, 115.

THE LAYMEN AND THE MODERATES

moderation.”¹ The unity of the Church must be broadly and tolerantly defined, and in preserving that unity “the laws of charity and of human society” should not be defaced.² Both spiritual and temporal restraints have their place in the Church, but there is no place in the armoury of the Church for the sword of persecution. For persecution treats men as Christians in a way in which they would not be treated as men.³ It puts the sword into the hands of the multitude and the fanatical, raises up wars and butchery, and leads to the overthrow of Governments. Persecution makes of “the bark of a Christian church a flag of a bark of pirates and assassins.” Surely in all counsels of religion we should be restrained by the admonition of the Apostle, “Ira hominis non implet justitiam Dei.”⁴

Bacon had attempted to sketch the framework of a broad and comprehensive ecclesiastical structure which would serve as a spiritual home for all men who desired to preserve the essentials of unity. He had no confidence in clerical leadership. He observed that the fanaticism of religious zeal and strife was rapidly spreading to the multitude, and this, in his estimation, presaged disaster. Bacon was not by nature or instinct prepared to comprehend the depth of piety and the devotion to religious principles which characterized the thought of so many men in his age. He viewed coldly any expression of religious zeal and he detected with uncanny accuracy the anarchistic tendencies already manifest in the Protestantism of his day. His view of human nature and of the instinct of piety was low. Toleration and moderation could never, in his judgment, be achieved through the operation of forces which were essentially religious. It was for these reasons that Bacon was driven to Erastianism in his quest for toleration and peace, a solution which indicated that in one powerful segment of English thought, of which he was typical, the clash of rival sects and the explosive consequences of the right of private judgment had engendered a profound suspicion of the religious instinct. The State should be reasonable in its definition of the latitude of religious emotion and worship, but the time had come when eccentric and

¹ Bacon, *Works*, V, 116.

² Bacon, *Unity in Religion*, *Works*, VI, 383.

³ *Ibid.*, VI, 384.

⁴ *Ibid.*, VI, 384.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

intolerant piety must be curbed. Still another powerful strand was joined to the strongly variegated threads gradually combining to form a cord which was to strangle the tendency of pious men to persecute for the sake of truth.

It will now be well to examine more specifically Bacon's Erastianism. At the turn of the century he suggested that a redefinition of the structure and limits of the English Church was necessary in order to secure a flexibility which would enable the Government to bring various dissident groups within its framework. At the same time, he examined the policy of the Government towards the Roman Catholics and sought to defend it upon Erastian grounds. With these problems in mind he published in 1592 his *Certain Observations Upon a Libel*.¹ In this treatise Bacon undertook to reply to the charge of confusion in the Church of England, to the accusation that the English Catholics had been persecuted, and to the rumours of "discord and controversies amongst ourselves."

Bacon argued that the Church of England had sought to maintain a moderate balance between the "two extremities in state concerning the causes of faith and religion; . . . the permission of the exercises of more religions than one, which is a dangerous indulgence and toleration; the other . . . the entering and sifting into men's consciences when no overt scandal is given, which is a rigorous and strainable inquisition, . . ."² The maintenance of this temperate policy has been difficult because some men, blinded by excessive zeal and hatred of Rome, have demanded that the English Church should assume a position completely opposed to that of Rome. But a wise Government has been successful in the curbing of this disposition.³

The Government's Roman Catholic policy has been grounded upon two principles, the one, "that consciences are not to be forced, but to be won and reduced by the force of truth, by the aid of time, and the use of all good means of instruction or persuasion. The other, that causes of conscience when they

¹ This work was in reply to Parsons's savage attack upon the English religious and political policy entitled *Responsio ad edictum Regiae Angliae* (1592).

² Bacon, *Observations Upon a Libel*, *Works*, VIII, 164.

³ *Ibid.*, VIII, 165.

THE LAYMEN AND THE MODERATES

exceed their bounds and grow to be matter of faction, leese [lose] their nature; and that sovereign princes ought distinctly to punish the practice or contempt, though coloured with the pretences of conscience and religion.”¹

Queen Elizabeth established at her accession a Christian Church whose limits were broadly and tolerantly defined. It was hoped that all Englishmen could in time be persuaded to find their spiritual home in that Church, but until the Catholics could conform to it in good conscience it was the intention of the Government to treat them moderately and charitably. For that reason the persecuting Henrician laws were permitted to lapse and a remarkable moderation of policy was undertaken. Elizabeth disavowed any intention of forcing conscience, but, on the other hand, it was her firm and wise resolution not to permit the safety of the State to be threatened by religious unrest. So long as the Catholics refrained from actions inimical to the security of the State, she proposed to shelter them “by a gracious connivency.”² She restrained her laws in such wise as to punish only “manifest disobedience in impugning and impeaching advisedly and maliciously her majesty’s supreme power, and maintaining and extolling a foreign jurisdiction.”³ This policy of moderation was, in fact, maintained until the papacy undertook a deliberate programme designed to foment rebellion and to overthrow the civil and the religious establishments in England. When it was discovered that there were many who “were no more papists in conscience, but papists in treasonable faction,” the Government was compelled to act decisively.⁴ “This so great tempest of dangers made it a kind of necessity for Elizabeth to put some severer constraint upon that party of her subjects which was estranged from her and by these means poisoned beyond recovery, . . .”⁵ These penalties were designed not to force conscience but so to weaken the rebellious faction that the teeth of danger might be pulled.⁶

¹ Bacon, *Observations Upon a Libel*, *Works*, VIII, 177–178.

² Bacon, *In felicem memoriam Elizabethae Angliae reginae* (1608), *Works*, XI, 313.

³ Bacon, *Observations Upon a Libel*, *Works*, VIII, 178.

⁴ *Ibid.*, VIII, 179.

⁵ Bacon, *In felicem memoriam Elizabethae*, *Works*, VI, 315.

⁶ Bacon, *Observations Upon a Libel*, *Works*, VIII, 180.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

The first aim of any Government must be to preserve itself. It was the peculiar glory of the English religious policy, Bacon would argue, that men had been left free in conscience so long as their civil loyalty was not suspect. The Government had clipped the wings of religious zeal only when it appeared absolutely necessary for the preservation of civil life. This policy had been steadily maintained towards the Catholics and a wise and tolerant Government had relaxed its pressure when it was deemed possible. The apparent harshness of its laws had been considerably mitigated by equity when it was observed that particular Papists were not factious. And even in the case of Papists convicted for treason the Government had "so blunted the laws edge" that only an insignificant proportion were executed.¹

In the early years of the reign of James I, Bacon enlarged and systematized his conception of the proper religious policy of the Government in his *Certaine considerations touching the better pacification, and edification of the Church of England*. In this work he expressed the hope that the Government could raise itself above faction and by a tolerant Erastianism define the Church on a basis so comprehensive that only the irreconcilable and the seditious would be excluded. He was confident that the moderate policy of Elizabeth had enjoyed the warm support of all reasonable and intelligent men in England, and that the Government was strong enough to attempt to secure unity through a generous relaxation of the coercive laws.² Even the Catholics, he felt, "should not need so much the severity of penal laws if the sword of the spirit were better edged, by strengthening the authority and repressing the abuses in the church."³ The paternal oversight of the law should allow to pious men all possible liberty. And no man who worshipped quietly and modestly should be permitted to see or feel the hedge of restriction protecting him from faction and bigotry. The Government itself would be more secure if substantial toleration were allowed to all men who did not disturb the peace.

¹ Bacon, *In felicem memoriam Elizabethae, Works, VI, 315-316; Observations Upon a Libel, Works, VIII, 181.*

² Gardiner, *History of England, I, 146.*

³ Bacon, *Certaine considerations, Works, X, 126.*

THE LAYMEN AND THE MODERATES

The form and doctrine of the Establishment should not be rigidly and dogmatically conceived, opinions should not be crushed down, free scope should be left for the play of reason, and as much liberty should be permitted to each religious communion as was compatible with the liberty of all.¹

Bacon felt that the clerical mind was dogmatic and intolerant, and that every religious structure tended to become more and more inelastic under clerical leadership. This tendency has the effect of steadily narrowing the comprehensiveness of a national Church and of throwing group after group into nonconformity, which, considering the contentious nature of the clerical mind, leads to brawling, intolerance, and civil disturbance.² The State, therefore, must exercise a dispassionate but firm control over the Church and should restrain the zeal and bigotry of its leaders. It is not reasonable constantly to purge and revivify the State by new laws, while assuming that the ecclesiastical order should remain fixed. Both Church and State should be conceived as organic in character and should be renovated from time to time in order that they may be better accommodated to the evolving needs of men. The "dilapidations of the inward and spiritual edification of the Church of God are in all times as great as the outward and material," and the inward spirit and strength of religion requires revivification just as the outward fabric of a church building demands attention from time to time.³

It may be objected, Bacon admitted, that the constant purging and altering of the Church may lead restless spirits to desire constant change. It will be argued, too, that such an Erastian policy will endanger the stability of the sound and constant elements within the structure of the Church.⁴ Under conditions of spiritual anarchy these accusations would have weight. But in a State where the Government maintains a close control over religion, and where its policy is tempered with reason and care, such reforms as are introduced will be limited and moderate in character. In fact, only by an Erastian policy will the anarchistic and dispersive tendency of religion be restrained.

¹ Bacon, *Works*, X, 100-101.

² Bacon, *Certaine considerations*, *Works*, X, 103-105.

³ *Ibid.*, X, 105.

⁴ *Ibid.*, X, 107.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Bacon desired peace and order and, above all, he wanted the fanaticism which he saw rising in England brought under sharp control. He regarded zeal and superstition as the gravest of all dangers both to the civil order and to learning. Hence he proposed to disarm "the church in the name of the state."¹ When reformation was required—and he felt that it was required in 1604—it should proceed from the State and not from the people.²

Bacon, having stated fully his Erastian conception of religious policy, turned to a consideration of the chief controversies which were rending the Church in his day. Much of the disaffection, he held, was due to an over-rigid conception of church government. Volumes have been written to prove that "there should be but one form of discipline in all churches, and that imposed by a necessity of a commandment and prescript out of the Word of God . . ."³ No Scriptural or reasonable warrant can be advanced for such an intolerant conception. Bacon held that God had left the governmental frame of His Church flexible in order that it might be altered as the circumstances of time and place should require. The "substance of doctrine is immutable, and so are the general rules of government," but vast freedom has been left for a reasonable ordering of the form and character of the Church establishment.⁴

In England the government of the Church has been founded upon episcopacy, partly because there is ample Scriptural warrant for this regimen, but more particularly because in kingdoms there are important politic reasons for the administration of the Church by bishops.⁵ This type of government could scarcely be abandoned in England without "perilous operation upon the kingdom," though substantial reformations should be introduced.⁶ The bishops have arrogated to themselves too much power over men's souls, though their judgment is by no means infallible. The episcopal authority should be spread

¹ Fischer, *Francis Bacon of Verulam*, 313; and *vide* Broad, C. D., *The Philosophy of Francis Bacon*, 19.

² *Vide* also Bacon's essay *On Unity in Religion*.

³ Bacon, *Certaine considerations*, *Works*, X, 107.

⁴ *Ibid.*, X, 107-108.

⁶ *Ibid.*, X, 109.

⁵ *Ibid.*, X, 108-109.

amongst the bishops at large, perhaps in some sort of advisory council.¹

With critical discernment Bacon's coldly Erastian intelligence swept through all of the controversies which loomed so large in the English religious scene. The liturgy should be employed to gain unity of faith rather than to secure a superstitious uniformity in outward ceremonies. It should be thoroughly reformed in order to meet the just demands of those who cannot in conscience accept many of its details.² The learning and piety of the ministry must be revived by the inclusion of the moderate Puritan group within the comprehensive framework of the remodelled Church.³ The abuses of non-residence, pluralities, and the prostitution of the spiritual weapon of excommunication must be checked by the State before irreparable damage shall have been done to the Church. Perspective and balance must be restored through the intervention of the State, and the Church of England must be made truly moderate, truly comprehensive, and truly English.⁴

In summary, Bacon brought to the consideration of the religious problems of his age a cool, sane, and sceptical temper of mind. He detached himself from the clash of rival and bickering religious factions, and with the objective dispassion of the philosopher, recommended a moderate course which, under the direction of the State, would secure for pious and reasonable men a large measure of religious liberty. He displayed a profound distrust of the clerical intelligence, and a decided dislike for the anarchistic tendencies of sectarianism. He regarded it as the proper function of the wise ruler to restrain the zeal and bigotry of the sects, while securing to all men, within a Church whose limits were to be as broad as "the arrangement of God" would allow, a large measure of tolerance almost in spite of themselves. The State must preserve itself and the limit of religious freedom must be placed

¹ Bacon, *Certaine considerations*, *Works*, X, 109-111. Bacon likewise condemned the practice of deputing episcopal power to chancellors and commissioners (*ibid.*, X, 111-114). Nor did he approve of the legal power which they had arrogated, particularly the tyranny of the oath *ex officio* (*ibid.*, X, 114).

² *Ibid.*, X, 114-118.

³ *Ibid.*, X, 118-121.

⁴ *Ibid.*, X, 121-124.

at that point where zeal tends to degenerate into sedition. This, he declared with good proof, had been the essence of the Elizabethan policy respecting the Roman Catholics, and he recommended that this policy be enlarged in order to solve the more pressing problem of Protestant dissent. The Church must at all times be flexible and susceptible to change if it is to be truly national. Tolerance, he felt, was to be achieved rather through the self-interest of the State expressed by means of reasonably defined liberties than through the gradual triumph of those moral principles which many of his nobler but less sophisticated contemporaries held to constitute the basis of Christianity itself.

3. MINOR ERASTIANS (ATKINSON AND HAYWARD)

The Erastianism which Bacon had so ably advanced was to be developed by a number of minor thinkers during the first half of the seventeenth century. The thought of these men was not systematic, but it was distinguished by a certain hardness, a sceptical spirit, and the strongly sustained conviction that clerical intolerance and sectarian bigotry must be sharply restrained if the State, and the comprehensive Establishment which was the creation of the State, were to survive.

In 1603 an obscure commentator named Atkinson made certain recommendations concerning the policy which the Government should assume towards the Catholic and Puritan extremists.¹ He submitted that the recusants were not paying the prescribed fines, while those in prison were, in fact, a charge on the State. Since the Catholics had not been compelled to bear the legally appointed burdens they had been the better able to pay their priests and to carry on an active missionary programme.

Atkinson suggested that the dissensions which were ravaging England might be alleviated if able preachers were advanced and encouraged. At the same time he proposed "that all great, and wilfull recusants may be kept in prison, their living

¹ The writer has not been able to identify Atkinson. The work under discussion is a manuscript entitled *Recommendations concerning Recusants and Puritans*, dated April 20, 1603. It may be found amongst the Western MSS. in the Old Royal and Kings Collection in the B.M., 17 c iv.

THE LAYMEN AND THE MODERATES

sequestered into your maties handes, and they and their families maintained out of the same wth sufficient allowance and no more." If this were done the poorer recusants would soon conform while the priests would speedily lose their missionary zeal. The State, Atkinson argued, has in its grasp an effective control of religion. If it will adopt this programme, Catholicism will "in time vanish lik smoake out of this kingdom, without shedding of blood."¹ The extreme Puritans are quite as dangerous as the Papists, and they too should be brought under the law. The Church, Atkinson intimated, should be given a broad foundation in order to win the loyalty of the substantial and reasonable elements in the nation, while extremists of all kinds should be reduced to impotency through the Government's confiscatory power. But no martyrs should be made—suppression should be quiet, ruthless, and bloodless.

It would be difficult to find a more strikingly Erastian doctrine than that advanced by Sir John Hayward in his treatise *Of Supremacie in affaires of religion*.² The writer suggested that it was "not onely convenient, but necessary also in all grounds and reasons of state; that a king who acknowledgeth no superior under God, should bee acknowledged to have supreame authoritie under God in ecclesiasticall affaires: . . ."³ No earthly power may alter religious truth, but the externals of worship, the Government, and the discipline of the Church should depend upon the will of the prince.⁴ This power accrues to him as "a right of regality."⁵

¹ Atkinson, *Recommendations*.

² Sir John Hayward (1564–1627), a native of Suffolk, was educated at Cambridge. His important history of the early reign of Henry IV, including a discussion of the tender subject of the deposition of Richard II, incurred the wrath of Elizabeth, and Hayward was imprisoned for some time. He found greater favour with James I, and after having published numerous treatises which upheld the legality of the Stuart succession and defended the union with Scotland, Hayward was knighted in 1619. He was likewise designated official historiographer, a post which he shared with the great Camden. The work under consideration was suggested, it is said, by a conversation in which Hayward took part in 1605 at the house of Tobias Matthew, the then Bishop of Durham. The work was probably first published in 1606 as *A Reporte of a discourse concerning supreme power in affaires of religion*. It was reprinted in 1624 under the title *Of Supremacie in affaires of religion*. The latter edition has been employed.

³ Hayward, *Of Supremacie*, 5.

⁴ *Ibid.*, 6–7.

⁵ *Ibid.*, 7.

Hayward held that the power to order religion was an inalienable part of sovereignty. For the concept of sovereignty implies "that those affaires of state, which are of greatest importance and weight, are annexed unto the soveraigne maiesty, and cannot be seperated from the same." The well-being of the nation depends upon the steady exercise of these powers. "They cannot bee usurped, they cannot bee presented, they cannot bee distracted or aliened, they cannot be absolutely exercised by any other, than by them who beare the supreme maiestie."¹ It is obvious that no part of national life is so important or "of so high a nature" as religion, in the sense that it is organized into religious groups.² The State must regard religion as part of the province of its jurisdiction,³ and should so order it as to promote its own civil ends.

It is doubtful if such Erastianism could have flourished in England during the sixteenth century, when men had been so thoroughly preoccupied with the discovery and maintenance of systems of absolute religious truth. By the beginning of the seventeenth century, however, some thinkers were beginning to view with the most lively apprehension the conflict of exclusive dogmas engendered by the search for absolute truth. These men were driven to suggest, somewhat timidly at first, that absolute truth was not attainable and that, in any case, the State should put an end to religious conflicts in the interests both of civil order and of religion itself. This species of scepticism was deeply engrained in Hayward. He suggested that, though true religion was revealed by God to man, the religious impulse was derived from man's natural instincts. God has implanted in all men a disposition to serve Him and to worship Him. Thus all nations revere some god and "every man either by use or by instruction iudgeth his owne religion best."⁴

If we interpret Hayward's thought correctly, he had very nearly advanced the view that religious truth is relative. God reveals to individual men saving spiritual truth. But religion in its organized sense is the expression of national needs, customs, and education. Hence the State may frame a religious structure adapted to its peculiar needs, and within this frame-

¹ Hayward, *Of Svpremacie*, 11.

² *Ibid.*, 12.

³ *Ibid.*, 15.

⁴ *Ibid.*, 8.

THE LAYMEN AND THE MODERATES

work men may through revelation acquire such truth as their own natures may demand. This Erastian view at once declared that the State alone should determine the form of organized religion and suggested, with truth, that in this conception tolerance and moderation might best be attained.

4. SIR ROBERT BRUCE COTTON, 1571-1631

The views of Sir Robert Bruce Cotton, the great antiquary, are of absorbing interest in the consideration of the development of Erastianism. In one of his treatises, published posthumously, Cotton lends careful attention to the problem of the Roman Catholics in England.¹ The work was written from the point of view of the State, and with cool detachment Cotton urged the Government to adopt as a consistent policy such a programme as would best secure its end. This policy Cotton defined as the gradual absorption of the Romanists into a comprehensive Church of England. His suggestions were moderate, sane, and, as it happened, remarkably tolerant. Cotton had become convinced that the Government incurred the greatest risk by continuing a programme of repression which, if it were not persecution, appeared to be. The State could no longer afford to appear to carry out the defence of an exclusive system of truth; it should adopt that religious policy which seemed most nearly to fit its own ends.

Cotton held that the employment of the death penalty against Catholics would not be effective in extirpating popery, in checking the Jesuit missionary programme, or in bringing to an end the treasonable disposition of English Catholicism. The use of the capital penalty betrayed, he urged, a serious miscon-

¹ Cotton's vast learning was exceeded in his century only by that of Selden, his intimate friend and associate. Cotton was by temperament and taste a humanist, though most of his life was devoted to purely antiquarian researches.

The work under discussion, *Twenty-Four Arguments, whether it be more expedient to Suppress Popish Practices . . . by . . . Strict Execution . . . or, to restrain them to close Prisons, etc.*, is undated, but from internal evidence it would appear to have been written not earlier than 1616 and certainly not later than 1621. There are two slightly variant MS. copies in B.M. (Royal 18 B xxiv, 146 ff., and Harl. 7381, 72 ff.). A printed text may be found in *Cottoni Posthuma*, which was first published in 1651. A second edition, which we have used, appeared in 1679.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

ception both of natural and of religious psychology. "Death is the end of temporal woes; but it may in no wise be accounted the grave of memory; . . ."¹ The destruction of the body of a man in no sense destroys the opinions for which he has died. The death penalty, even for the Jesuits, serves only to increase the zeal of the Catholics, foments treachery and rebellion, and gives to the Romanists the powerful and dangerous assistance of a tradition of martyrdom. Unless every Catholic in England can be destroyed, and that with one blow, it is fruitless to cut down a few for the sake of example. The Government will find that it may curb the venom of Catholic fanaticism much more easily if it substitutes a moderate policy of control for outright repression.

Cotton pointed to the fact that the English Catholics embraced their faith with more tenacity and fanaticism than did their co-religionists in any other country.² This has made them especially dangerous to the State and it has been the fruit of the Government's mistaken policy. The author shrewdly observed that fanatics have but little fear of death; much more effective are "menaces to prolong a wearisome life, . . ."³ The Government has repeatedly announced, with truth, that no man is in danger of losing his life in England for religious opinions, and that the Roman Catholics have been punished only when they have threatened the safety of the State. But the Government has not taken pains to prove its contention. Most of Christendom is convinced that in reality Catholics have been put to death for their religious views and England cannot escape the odium and danger to which this belief exposes her so long as she continues to punish priests by the death penalty.⁴ Catholic strength in England has been builded upon the false martyrs whom mistaken policy has supplied. For, Cotton shrewdly observed, "their priests, . . . by their death . . . assure more to their sect, than by their lives they could ever persuade; it were incivility to distrust a friend, or one that hath the shew of an honest man, if he will frankly give his word, or confirm it with an oath, but when a protestation is made upon the last gasp of life, it is of great effect to those that cannot gainsay it upon their own

¹ Cotton, *Twenty-Four Arguments, Cottoni Posthuma*, 120.

² *Ibid.*, 124-125.

³ *Ibid.*, 127.

⁴ *Ibid.*, 128-129.

THE LAYMEN AND THE MODERATES

knowledg.”¹ Persecution serves no other purpose than to fan piety into a dangerous frenzy which only moderation and time can cool.

For its own safety the Government must abandon a policy which has aroused dangerous passions and undertake a careful and intelligent religious programme designed to bring the spiritual instincts under better control. Cotton suggested that English public opinion was strongly opposed to religious persecution and that the Government had drifted into a position where it sought to enforce laws which did not enjoy public support.² Englishmen will not assist in enforcing the law so long as those who are convicted are sent to the rack or the gallows, “especially when there is any colour of religion to be pretended in their defence; . . .”³ Public sentiment recoils from this severity. It reminds men too keenly of the blood spilled during the Marian persecution. Cotton felt that public opinion was far more moderate than governmental policy, and that the State must so modify its programme of repression as to win the support of its citizens. It should be observed “how ready is every common person to carry a malefactor to the stocks, rather than unto the gaol or execution. And doubtless they will be no less forward to attach a priest, when they are assured that the worst of his punishment shall be a simple restraint within the walls of an old castle.”⁴

Cotton proposed to bring Catholicism under control by reasonable penalties which could be enforced, and then to win its adherents by sound preaching and education. Catholicism may be rendered harmless in England by the imprisonment of priests and the imposition of light fines for habitual recusancy. But men cannot be won to Protestantism by these temporal restraints any more than they can be converted by persecution. “Temporal arms are remedies serving for a time, but the spiritual sword is permanent in operation, and by an invisible blow works more than mortal man can imagine.”⁵ Popery can be extirpated only through patience, education, and sound preaching. It must be remembered that Protestantism is a

¹ Cotton, *Twenty-Four Arguments, Cottoni Posthuma*, 131.

² *Ibid.*, 136–137.

⁴ *Ibid.*, 139.

³ *Ibid.*, 137.

⁵ *Ibid.*, 141–142.

comparatively recent religion in England, while the roots of Romanism are buried deep in tradition and habit. These roots may be eradicated gradually, but they cannot be removed violently. A consistent and intelligent system of education for the Catholic youth, Cotton suggested, could in the end be expected to accomplish the Government's purposes. The Government must frame a policy for the control of confirmed Catholics which will work effectively because of its very sanity.

If the English Government were to assume such a policy, Cotton argued, it would free itself of all suspicions of cruel persecutions, would deprive Romanism of the principal source of its evangelical strength, and would establish its policy on grounds already accepted by the moderate and substantial elements of its citizenry. For too long the cause of Protestantism has been harmed in England "by relying more on the temporal than the spiritual arms; for while we trusted that capital punishments should strike the stroke, we have neglected the means which would for the most part have discharged the need of such severity; . . ."¹ The State must proceed in the highly charged atmosphere of religious opinions with the greatest circumspection. It is necessary for the Government to exercise the closest control over nonconformity, but it will find that tolerance and moderation are far more effective instruments than persecution, which must be regarded as a survival from the days when the State sought to enforce an exclusive body of truth in the interests of the Church. The State should adjust its policy more closely to the known facts of religious psychology, for who has not observed "that whoso endeth his days by a natural death, he shall be subject to many mens dooms for every particular offence; but when for religions sake a man triumpheth over the sword, that one eminent vertue razeth out the memory of other errors, and placeth him that so dieth in paradise, . . . which glory having many followers and admirers, maketh even dull spirits to affect their footsteps, and to sell their lives for the maintenance of the same cause."²

In summary, Cotton's Erastianism represented a considerable advance towards the idea of religious toleration. He had

¹ Cotton, *Twenty-Four Arguments, Cottoni Postuma*, 152.

² *Ibid.*, 156-157.

THE LAYMEN AND THE MODERATES

recognized by implication the power and the duty of the State to order the religious life of the nation. But he warned the English Government that such a policy must be conceived in a moderate and tolerant spirit. The vestiges of the ancient theory of the effectiveness of persecution must be completely renounced. He explained that the persecution of any sect can serve only to drive men from piety to fanaticism. Nonconformity can be cured only by spiritual methods over which the State exercises no direct control. It is the function of the State to remove the dangers of faction and sedition by moderate and Erastian penalties which will confine religious worship to its proper channels, prescribing certain rules of conduct upon which reasonable men can agree. Most illuminating was his considered opinion that English public sentiment would no longer support a policy of outright persecution. Cotton may have strained fact slightly to his theory, but there can be no doubt that in England a powerful body of opinion was crystallizing which was earnestly opposed to further spiritual coercion and which was endeavouring to find a solution to the most important problem that the modern world has had to face.

5. JOHN SELDEN, 1584-1654

English Erastianism received its fullest and finest expression in the thought of John Selden. Selden was educated at the free grammar-school at Chichester, and after three years at Oxford proceeded to London for the study of law. He was admitted to the bar in 1612 and for many years engaged in a specialized and highly lucrative legal practice. The starting-point of his literary career was the intimate association which he formed shortly after 1612 with the remarkable group of thinkers accustomed to meet in Cotton's great library. In this circle were included Cotton, Clarendon, Camden, Coke, Jonson, Ussher, Hales, and Hobbes,¹ all of whom were of the first rank in English thought and most of whom deserve prominent consideration in any history of the development of religious toleration. Selden quickly established himself as the intellectual

¹ Hazeltine, H. D., *Selden as Legal Historian*, *Harvard Law Review*, XXIV, 105.

leader of this group and, indeed, may be regarded as the most learned man that England was to produce during a century renowned for its learning. After 1612 his monumental works on the law, history, and antiquity poured forth in a torrent of erudition. In 1618 he published his famous *Historie of tithes*, which subjected to a searching and coldly sceptical criticism the claim of the clergy that the tithe system was of divine origin. The tone of the book, quite as much as Selden's damaging conclusions, aroused the worst passions of the ecclesiastics. He wrote with devastating logic and bitter irony, accusing the clergy of a steady policy of obstructing the advancement of knowledge.¹ Clerical wrath was so intense that the King was finally persuaded to permit the Court of High Commission to summons the author. Selden was obliged to submit, though, apparently by arrangement, his statement was limited to a formal expression of regret that the work had been published and to an agreement that he would not reply to the numerous clerical invectives provoked by his treatise.

Selden was to avenge to his complete satisfaction the humiliation suffered at the hands of the clergy. There is also evidence that from this time forward he was disposed to add the services of his great learning and legal skill to the side of the parliamentary opposition which was rapidly crystallizing during these critical years. In 1621 he was imprisoned for a short time for having assisted in the preparation of the Protestation of that year, though he was not then a member of Parliament. He was returned as a member in 1623 and in the following year was again imprisoned. He sat as a member for his university in the Long Parliament, and though he sympathized with both the religious and the constitutional policy of the parliamentary opposition, he was quickly alienated when it became evident that the Puritan extremists were gaining control. He was doomed, as a moderate, to an unimportant and at times ignoble role during the period when rival fanaticisms were struggling for the mastery of England. Clarendon, who knew him so well, analysed his position fairly when he wrote, "How wicked soever the actions were which were every day done, he was confident

¹ He cited the ill-treatment experienced by such thinkers as Roger Bacon, Reuchlin, Budaeus, and Erasmus at the hands of the clergy.

THE LAYMEN AND THE MODERATES

he had not given his consent to them; but would have hindered them if he could with his own safety, to which he was always enough indulgent.”¹

Selden’s religious thought was completely lay and remarkably objective. He brought to bear upon the religious problems which had so distracted and disrupted his age a cool, logical, and dispassionate intelligence. Unfortunately, however, he was so far removed intellectually from the struggles which engrossed his contemporaries that the sanity and clarity of his views was to exercise relatively slight influence upon them. As a scholar and as an intellectual aristocrat he feared above all else the triumph of religious passion and clerical zeal. Hence he was willing to compromise and to accept any spiritual organization which would permit of intellectual and spiritual freedom. He detested the bishops and had very little regard for the Church of England, but when it became evident that the Establishment might be replaced by Presbyterianism he rallied somewhat reluctantly to the defence of the national Church. He clearly envisaged the modern temporal State as an ideal, and, with logic, was prepared to support any religious order which would contribute towards that end.² He failed to appreciate that the disintegration of uniformity into sectarianism was, in fact, so weakening the established religion that toleration and clerical impotency were to be achieved in this direction, and accordingly he viewed with horror the religious anarchy of the Civil War period. It must be remembered, however, that, without the perspective of time, it must have appeared to a sensitive and Erastian intellect as if reason and moderation were to be engulfed in an ever-rising tide of fanaticism.

There was much of the aristocrat in Selden’s temperament. As Paul has well said, “There are traces in his *Table Talk* of the Baconian temper, the grave, dignified, philosophic calm with which an intellect, unclouded by passion or prejudice, contemplates the wild surging of ignorant enthusiasm in its desperate efforts to find truth where there is no road.”³ The democratic and disintegrative characteristics which he detected

¹ Clarendon, *Life*, 923.

² Freund, *Die Idee der Toleranz*, 76.

³ Paul, Herbert, *Men and Letters*, 324.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

in Christianity repelled him. Religious fanaticism, he taught, represents the triumph in the State of the "mercenary masses" over reason and intelligence, and the elevation to authority of those who are "so barbarous, so blunt, so hypocritical, so vain, so evilly disposed."

Before undertaking an analysis of Selden's religious thought, it would appear profitable to examine further the quality and temper of his mind. Professor Hazeltine has well remarked that few thinkers and historians before Selden had exhibited such remarkable devotion to truth and exactness of fact. In all of his historical works Selden declared his resolution to maintain the strictest impartiality and detachment.¹ He declared that this high ideal caused him to exercise his "liberty of inquiry" by the "most accurate way of search" and to seek diligently for "good authorities," "authorities of best choice," "most choice and authentick monuments," and "monuments of infallible credit."²

In the Preface to the *Historie of tithes* Selden gave the most extensive statement of his creed of detachment and of his conviction that truth might be attained only if men searched for it with sceptical and critical minds. He declared, "I sought only truth; and was never so farre ingaged in this or aught els as to torture my brains or venture my credit to make or creat premisses for a chosen conclusion, that I rather would then could prove. My premisses made what conclusions or conjectures I have, and were not bred by them. And although both of them . . . not a little somtimes varie from what is vulgarly received; yet that happend not at all from any desire to differ from common opinion, but from another course of disquisition then is commonly used; that is, by examination of the truth of those suppositions which patient idleness too easily takes for cleer and granted."³ He professed that he was guided by the ancient sceptics who had doubted "as well of what those of the dogmaticall sects too credulously receivd for infallible principles, as they did of the newst conclusions . . ." Men can

¹ Hazeltine, *Selden as Legal Historian*, *Harvard Law Review*, XXIV, 109-114.

² Quoted *ibid.*, XXIV, 114-115.

³ Selden, *Historie of tithes* (L., 1618), xii-xiii.

THE LAYMEN AND THE MODERATES

attain truth only by preserving a sceptical mind upon all questions, and by demanding for themselves a complete liberty of inquiry. The mind must be freed of passion, prejudice, and tradition, and must approach each problem freshly, sensitively, and calmly. It is this that sets the philosopher apart from the herd—from those “that are servile to common opinion and vulgar suppositions” and hence cannot be admitted to the temple of reason and truth.¹

As we might expect, therefore, Selden’s religious thought displays an icy scepticism and a contemptuous disregard of commonly received notions. His thought was vindicated by the events of the Civil War, and after the Restoration it powerfully implemented a growing body of sceptical opinion which was to exert a strong influence towards the achievement of religious liberty. The frank disclosure of his opinions in the *Table Talk* would indicate that Selden, if not a disbeliever, was by no means content with institutional religion as defined by his age. The opinions and intelligence of men are formed by forces over which they enjoy no control, and men cannot resist the impulses of their own natures. It is therefore meaningless to talk of heresy. With a savage thrust Selden disposed of those who claimed to have attained to the fulness of a religious truth which they desired, for moral reasons, to impose upon other men. Selden argued that the claim of ecclesiastical infallibility could not be historically maintained. “In the primitive times there were several opinions . . . one of these opinions being embraced by some prince, and received into his kingdom, the rest were condemned as heresies; and his religion, which was but one of the several opinions first, is said to be orthodox and to have continued ever since the Apostles.”² Men choose their religion for reasons which have very little to do with truth. Religion may be compared to a magnificent feast at which one selects those dishes most attractive and palatable to him, leaving the rest alone. Thus, “how glorious soever the church is, every one

¹ Selden, *Historie of tithes*, xiii.

² Selden, *Table Talk* (ed. S. H. Reynolds, 1892), 125. The *Table Talk* was first published in 1689. It was prepared by Richard Milward, who had been Selden’s secretary. The work is comprised of Selden’s occasional sayings during the last twenty years of his life. His religious and political philosophy may best be examined in this revealing work.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

chooses out of it his own religion, by which he governs himself, and lets the rest alone.”¹

Selden asserted that every religion contains elements commanding it to some men. The instinct of religion is strongly implanted in man and we choose that faith best adapted to our needs. Consequently religion must be regarded as wholly subjective in its nature and no infallible lines of truth and error may be drawn. The fact that a man professes a particular religion may be accepted as *prima facie* evidence that that religion is best for him. “Religion,” Selden wrote, “is like the fashion; one man wears his doublet slashed, another laced, another plain; but every man has a doublet; so every man has his religion. We differ about the trimming.”² No two minds can agree in every point of faith, despite the feverish exhortations of the divines. No other criterion of religious truth can be discovered than the individual conscience, since religion has its seat there. For that reason religious disputes can never be settled. Hence any group which seeks to impose its particular definitions of faith upon other men does so without reason, and its action is dangerous both to the State and to intellectual liberty.³ When there is no criterion for settling disputes, any differences which exist must be accepted as eternal. The State should maintain a neutral position in religion and stoutly refuse to serve the ends of fanaticism. Its primary task is to restrain excesses and to prevent the rival sects from destroying each other and, in the process, the State.⁴

The highly intellectual and sceptical view of religion which Selden entertained was reflected, too, in his intense dislike for the clerical mind and for all species of religious zeal. His disapproval of the autocratic and intolerant temper of the Laudian bishops was equalled only by his detestation of Puritan dogmatism. He was convinced that the Church had sought throughout history to dominate the State in order to promote peculiar views and enforce them upon mankind. Impressed by the danger of clerical encroachments upon the laity, he would have limited the authority of the clergy to moral persuasion. The

¹ Selden, *Table Talk*, 39.

² *Ibid.*, 161.

³ *Ibid.*, 164. He had the Puritans particularly in mind here.

⁴ *Ibid.*, 165.

clergy appear to be guided by the conviction that "to preach long, loud, and damnation, is the way to be cried up. We love a man that damns us, and we run after him again to save us."¹ Later in life, as a member of the Westminster Assembly, he employed his sharp wit and vast learning in order to plague the Presbyterian majority in that body.² Fuller declared, half sympathetically, that "this great scholar, not overloving of any (and least of all these) clergymen, delighted himself in raising of scruples for the vexing of others, and some stick not to say, that those who will not feed on the flesh of God's Word, cast most bones to others to break their teeth therewith."³

The temper of mind displayed by Selden must be regarded as of the greatest importance in the history of thought. Hitherto scepticism and opposition to clerical and religious intolerance had been couched in the most evasive terms. Selden dismissed the age-old claims of religious authority with bitter contempt and attacked not only the intelligence but the honesty of the clerical mind. As Tulloch has observed, "he had evidently no love for the clergy, either Episcopal or Puritan, and especially detested clerical prejudice, the pretensions to special orthodoxy, and the dogmatic opinionativeness so prevalent in his time." The rancour and fanaticism which religious enthusiasm appeared to engender were distasteful to him, and he could never forget that strongly entertained convictions may easily lead to the attempt to enforce those opinions upon the minds and bodies of other men. As a sensitive man—indeed, as a civilized man—he recoiled from the intolerance which was sweeping England and proposed a religious philosophy which was calm, detached, and tolerant, but which, unfortunately, was wholly devoid of spiritual content.

We may believe that Selden's religious thought was dominated by his desire to secure tolerance and moderation in spiritual life, lest the friction of rival dogmatisms should destroy freedom and intellectual development. As a realist and as a thinker

¹ Selden, *Table Talk*, 54.

² Baillie complained vociferously and incessantly of Selden's tactics and appreciated the nature and great influence of his Erastianism. We shall give full consideration to this phase of Selden's thought and influence in a subsequent volume.

³ Fuller, *Church History*, VI, 286.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

without deep religious convictions he was unable to see that the sectaries whom he so feared were in his own day developing a noble and reasonable concept of toleration rooted in religion itself. In his view, toleration could be secured only by the intervention of a completely secular State in the religious struggle, by the repression of extremism, and by the elimination of the influence of the clergy in civil policy.¹ This thoroughly Erastian conception had much to contribute to the development of religious toleration, and, regrettable as it may be, toleration was attained in England rather more through this negative influence than through the triumph of purely spiritual forces. This view, which was based upon the complete secularization of the State, may be regarded as ignoble in its philosophical origins, and it may be argued that it was to triumph in the end because the Reformation had loosed powerful and explosive forces which, had they worked themselves out to their logical end, would have threatened the security of the civil State. A profound reaction against the complete absorption of mankind with religious idealism had set in in England by 1600, and Selden and the other Erastians were to contribute notably to the furthering of its development.

In his early discussion of the history of tithes Selden exhibited the Erastian spirit which dominated his religious thinking. The cardinal point of his argument was the necessity for the supremacy of the civil State over ecclesiastical causes and persons. He refused to recognize that any aspect of the institutional framework of organized religion enjoyed a *jure divino* sanction and he employed his great learning and controversial ability to prove that the clergy had consciously or unconsciously claimed a divine sanction for tithes which was not supportable by historical facts. He did not attempt to settle the problem of the origin of tithes, but he proved that tithes were never claimed or collected before the fourth century of the Christian Church. And since then, he argued, the scheme of enforcement and collection had varied so widely that tithes could be regarded as an imposition depending wholly upon the discretion of the civil magistrate.² The far-reaching implications

¹ Freund, *Die Idee der Toleranz*, 89.

² Selden, *Historie of tithes*, 35-39.

THE LAYMEN AND THE MODERATES

of Selden's deliberate dissection of one portion of the clerical claims did not escape his contemporaries, and the furious wrath which compelled the prudent Selden to submit affords abundant evidence that his barb had been driven deep.

In his later reflections Selden's Erastianism was more mature and sinister. Religion, he would argue, has always depended upon the disposition of the State, and the time has come to recognize this fact honestly. Thus at the beginning of Elizabeth's reign England was delicately balanced between Catholicism and Protestantism. The faith buttressed by the greater power won. "So religion was brought into kingdoms, so it has been continued, and so it may be cast out, when the state pleases."¹ The State enjoys full power to settle and order religion.² "There's no such thing as spiritual jurisdiction; all is civil, the church's is the same with the lord mayor's."³ The structure of the Church and the powers exercised by the divines within it depend in the final analysis upon the will of the State.⁴ Thus the Establishment received its form and has since been granted certain powers because the State chose to approve it. In the same manner the Venetians are Catholics because the State happens to approve of that religion for civil ends, though "all the world knows they care not three-pence for the pope."⁵ Religion, he urged, should no more be left to the disposition of the clergy than the law to the chancellor. The power of the clergy in Convocation, which they have so arrogantly attempted to expand, is limited in law to the regulation of trivial details. Any authority which the clergy enjoy is a derived power,⁶ and the substance of that power should be rigorously restrained. The State should assume frank and complete control of theological matters and it will best serve its own and its subjects' existence if it exercises that sovereignty in such wise as to ensure religious liberty.

In summary, Selden had gravely weakened the case of any persecuting system based upon the premise of an infallibly defined body of religious truth by his apparently dispassionate

¹ Selden, *Table Talk*, 28.

² *Ibid.*, 85.

³ *Ibid.*, 88.

⁴ *Ibid.*, 140.

⁵ *Ibid.*, 163.

⁶ "The minister when he is made is *materia prima*, apt for any form the state will put upon him; but of himself he can do nothing." (*Ibid.*, 114.)

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

relativism and his thoroughgoing exposition of Erastianism. The weight of his reasoning was greatly enhanced by the patent honesty of the man and his resolute devotion to the pursuit of truth. His critical historical analysis of the manner in which nations had embraced religions and his exposure of the motives which still induced men to accept particular faiths struck deep into the rigid systems of dogma which the seventeenth century was trying so desperately to defend. It was not so much the substance of Selden's thought as the cold and contemptuous dissection of motives, facts, and pretensions which so seriously damaged the philosophical premises underlying the structure of intolerance. Religion is purely subjective, he would argue, and religious truth must be regarded as relative rather than as absolute. He viewed the clash of intolerant sects as inimical to the advance of civilization and as dangerous to the very existence of the State. Hence he called upon the State to recognize its rightful sovereignty in religious matters, to curb the arrogance and intolerance of the clergy, to prevent the diffusion of dangerous fanaticism amongst the masses, and so to order religion that tolerance, sanity, and moderation might prevail. In essence, Selden was the apostle of the lay spirit. For too long the clerical mind had been able, through arrogated powers and shallow pretences to infallibility, to enthrall the spirit and to impede the progress of mankind. Selden possessed the ability, the insight, and the sensitivity to frame the classical exposition of the doctrine of religious toleration. That he did not do so may have been the consequence of the essential timidity of the man or it may be ascribed to the fact that he was by nature incapable of appreciating the significance of the religious emotions which so absorbed his generation. The philosopher may ascend so far into the rare atmosphere of detachment and dispassion that he quite fails to comprehend those passions and those instincts which compel men and create history.

6. NATHANIEL FIENNES, 1608?-1669

The same Erastian spirit may be detected in the speeches of Nathaniel Fiennes during the early sessions of the Long

THE LAYMEN AND THE MODERATES

Parliament. Fiennes was at this time a moderate Presbyterian, but his thought was thoroughly Erastian in its temper and exhibits a remarkable similarity to the views of Bacon. He traced the troubles which had for so long harassed the State and Church to clerical intolerance and demanded that the episcopacy should be abolished in the interests of peace and moderation. But he did not desire to replace one species of spiritual tyranny with another, and proposed that the government of the Church should be vested in lay commissioners appointed by the Crown.

Fiennes's speeches in support of this Erastian position deserve full consideration. He held that "the chiefe and principall cause of all the evills which wee have suffered, since the reformation in this Church and State, hath proceeded from that division which so unhappily hath sprung amongst us, about church government, and the ceremonies of the church, . . ."¹ The prelates have feared the restraining hand of Parliament and have deliberately sought to divide the King from that body. They have tried by every means to force men to lend obedience to a conception of the Church which they have intolerantly defined, and "it is like to produce no very good effect in this kingdom, if mens scruples and reasons in that behalfe, shall be only answered with prisons, and pillories, and hard censures, . . ."² These evils can be cured only by Parliament—by the assumption by that body of the control over religion which properly belongs to it. The ecclesiastical laws have far too much of the substance proper only to the civil law.³ The prelates have "turned from a spirituall way into the fashion of processes in temporall courts . . . by this meanes the spirituall sword comes to be unsheathed about such things as doe not at all fall under the stroake therof."⁴ Thus the clergy have grossly overstepped their proper powers in the recent canons published by Convocation. In particular, in the canon relating to Socinianism they "have assumed to themselves, a parliamentary power, in determining an heresie not determined by law, which is expressly

¹ *A speech of the honorable Nathanael Fiennes, . . . in answer to the third speech of the Lord George Digby. Concerning bishops and the City of Londons petition, both which were made the 9th of Feb. 1640. in the honourable House of Commons* (1641 ed.), 8.

² *Ibid.*, 11.

³ *Ibid.*, 12.

⁴ *Ibid.*, 13.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

reserved to the determination of a parliament." In addition, they have condemned Socinianism without precisely defining its content and thus "it is left in their breasts whom they will judge, and call a Socinian."¹

The framing of the government of the Church, the definition of doctrine, and the repression of extremism are the functions of the civil State alone. The clergy should accomplish their mission by winning the minds and souls of men with the spiritual weapons with which Christ has invested them. Their task cannot be accomplished by harsh and cruel methods.² The bishops have gradually arrogated to themselves a power hostile to the security of both religion and the State. "Now whether it be safe to walke upon stilts on the top of the pinacles of the temple, upon so high precipices, as are the matters of religion, and conscience, . . . I leave it to your consideration: for my part, I should not thinke it safe, that such a power should be in any one man, though you suppose him to be a very good man."³ The State must restrain the zeal and ambitions of the clergy and it must order religion in the interests of its citizens. The clergy may well be compared to fire, "which whil'st it keepes in the chimney, it is of excellent use to warme those that approach unto it, but if it once breake out into the house, and get upon the house top, it sets all on fire."⁴

Fiennes's thought gains especial significance from the fact that he was himself affiliated with one of the extremist groups in England. But it was not possible for him, or for Parliament, to denounce episcopal intolerance without at the same time condemning the deeper clerical intolerance from which the former derived its substance. The religious annal of the seventeenth century was persuading an ever enlarging body of laymen of influence and critical perception that religious peace could never be attained unless the State "clipped the wings" of clerical pretension. Fiennes extended this view so far as to

¹ *A second speech of the honorable Nathanael Fiennes, . . . in the Commons House of Parliament. Touching the subjects liberty against the late canons, and the new oath* (L., 1641), 9.

² Fiennes, *A speech . . . in answer to the third speech of the Lord George Digby*, 15-16.

³ *Ibid.*, 19.

⁴ *Ibid.*, 24.

THE LAYMEN AND THE MODERATES

advocate that Parliament should define not only church government but heresy. Though he would probably not have admitted it, such a position means in effect that the ancient ideal of a universal and immutable faith has been abandoned.

ROMAN CATHOLIC THOUGHT AND ITS RELATION TO
THE DEVELOPMENT OF RELIGIOUS TOLERATION,
1603-1640

A. GENERAL CHARACTERISTICS OF ROMAN CATHOLIC THOUGHT

Roman Catholic thought in England during the first half of the seventeenth century was weak, undistinguished, and un-systematic. It was to make an even less significant contribution to the development of religious toleration than had Catholic thought during the Elizabethan period. We have previously indicated that the Roman Catholics were prevented from rendering any substantial service to the development of religious liberty because of the historical position of the Church on the question of the treatment of error, because of its sturdy claim to represent an exclusive and infallible system of truth, and because of the nature of the missionary programme which the Jesuits and other zealous orders sought to advance in England.¹ These basic influences continued to mould orthodox Catholic opinion throughout the period of our present discussion and do not require further consideration.

There were, however, several influences which contrived to make English Catholic thought considerably less important and less voluminous during the Stuart period than in the later sixteenth century, and the nature of these factors requires brief discussion.

During the reign of James I, as we have noticed, the rift between the spiritual and the political groups of Catholics was further widened by a deliberate governmental policy which sought to expand a programme formulated in the last years of the great Queen's reign. This policy found its ultimate expression in the Oath of Allegiance, and, as we have observed, the bitter controversy over the Oath caused a split between the political and spiritual groups which the best offices of the Church were unable to heal.² The effect of the division of

¹ Jordan, *Religious Toleration*, I, 372-420.

² *Vide ante*, 74-83.

the Catholic forces in England may be observed in the striking differences in the thought of the two groups and in the paucity and weakness of the literary efforts of the political faction. The policy of discrimination between the loyal and the missionary groups was to destroy any possibility of a unified Catholic programme in England. As we should expect, the thought of the spiritual, or lay, party in England became increasingly national in character; tended to become un-Catholic in its expressed philosophy; and in several instances displayed characteristics which can only be described as typically sectarian. Roman Catholicism in England was in 1603 more nearly extinguished than has been commonly supposed.

Of even greater significance in explaining the weakness of Catholic thought in England during the first half of the century was the fact that the governmental policy towards Roman Catholic nonconformity was progressively relaxed. The Catholics were quick to appreciate that neither James nor Charles was disposed towards harshness, much less towards persecution, and that in the Crown they had found their most effective tribune. It speedily became apparent, too, that the Government was pursuing its policy of moderation in the face of an hostile and intolerant public opinion which would only be excited and further outraged by robust Catholic demands for toleration. These influences account, in large measure, for the fact that the bulk of the Catholic pleas for toleration appeared before 1605, while during the reign of Charles I English Catholic thought almost disappears.

Underlying the weakness of Catholic thought, however, was the fact that in the period under survey the spirit and vigour of the Counter-Reformation was rapidly declining. The pontificates of Paul V (1605-1621) and Urban VIII (1623-1644) cover our period almost exactly, and neither pontiff was particularly interested in missionary effort in England. Paul, after his unsuccessful attempt to overcome the stubborn anti-clericalism of the Venetians, was generally moderate and discreet in his ecclesiastical policy. He steadfastly refused to express approval of the Valtelline massacres, and by private means had endeavoured to restrain the dangerous zeal of the Hapsburgs and of the Inquisition. Urban was almost completely engrossed in

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

political and military aspirations, and his inordinate nepotism and his disastrous war with the Duke of Parma gravely weakened the missionary strength of the Church. The steady and successful opposition of Elizabeth to the Jesuit programme and the fact that Catholicism in England had grown steadily weaker during a generation of feverish and devoted missionary effort had convinced most sober Catholics that England could never be regained to the Church by direct political or missionary effort. England had been all but conceded to Protestantism, and the energy of the great missionary orders tended to flow into the rich fields which a century of exploration had opened up abroad. Then, too, the Jesuits, who had constituted the spear-head of the Catholic attack on English Protestantism, had been placed on the defensive by 1640 because of the rising tide of resentment engendered by their methods, aims, and, indeed, their successes. The emigration of zealous young English Catholics to the seminaries abroad shows a remarkable diminution after 1600, and, as the older leaders died or became absorbed in other duties, the quality and devotion of those primarily interested in the spiritual conquest of England could no longer be compared with the capacities of such Elizabethan giants as Parsons and Allen. It may be said with certainty that after 1603 neither England nor the English Church stood in any danger from the missionary programme of Catholicism.

B. THE POLITICAL (MISSIONARY) GROUP (KELLISON, FITZ-HERBERT, PARSONS, WALSINGHAM, AND MINOR THINKERS)

We have already noticed that the bitter controversy provoked by the Oath of Allegiance made but small contribution to the further expansion and statement of the Roman Catholic position on the explosive questions of the relations of Church and State and the duty of Catholic subjects in an heretical realm. The theory which Parsons and Allen had previously developed of the necessity for religious orthodoxy if a Government were to be regarded as legitimate was firmly reiterated by the Catholic apologists, but the English Catholics were disposed to leave to the learned Cardinal Bellarmine the task of fashioning their views into a philosophy.

The political group urged that both the civil and the ecclesiastical orders are necessary to a full and good life.¹ Following closely the arguments of the late sixteenth century Jesuits, they held that the royal power proceeded immediately from the people under the ordinances of God.² The ecclesiastical power is derived from God and must be regarded as distinct from the civil authority, which all of the members of the Church are obliged in conscience to obey.³ If it should happen that the Christian is caught in a conflict between the two jurisdictions which command his loyalty, he must lend obedience to the spiritual authority since it is a higher power. For religion is not ordained for the commonwealth, but the commonwealth for religion.⁴ The one is concerned with the temporal welfare of man and the other with his spiritual well-being. It follows, therefore, that the "religious societie is farre more perfect, and worthie, then the civil, . . . and that the civil society is subordinat unto the religious, . . ."⁵ All laymen within the Christian State are completely subject to the spiritual authority of the Church.⁶ The Pope is not the temporal lord of the world, but by the spiritual power which has descended to him from Saint Peter he may dispose of temporal things—

¹ (Kellison, M.), *The right and iurisdiction of the prelate, and the prince. Or, a treatise of ecclesiastical, and regall authoritie* (1617), 35–36. Kellison (1560–1642) was a native of Northamptonshire. The son of poor parents, he received little formal education in England. He was early converted to Catholicism, entering the English College at Douay in 1581. Some time later he was sent to the English College at Rome, where he was ordained a priest in 1589. For many years he enjoyed a distinguished career as professor of scholastic theology at Rheims. In 1613 he was appointed president of the college at Douay, which he speedily reformed and swept clean of the Jesuit influences which had for so long dominated the institution.

² *Ibid.*, 44–45.

³ *Ibid.*, 56–73.
⁴ Fitzherbert, T., *The Second Part of a Treatise concerning Policy and Religion* (Douay?, 1615), 36. Thomas Fitzherbert (1552–1640) was an early Jesuit convert. For some years he was the leader of a group of laymen in London who greatly assisted the missionary activities of the order. He left England during the stringent repression of 1588, and a year later was accused of fomenting a plot to poison Elizabeth. He was ordained a priest in 1602, and for twelve years was the agent at Rome for the English clergy. He became a Jesuit in 1613, and from 1618 to 1639 was head of the English College at Rome (D.N.B.).

⁵ *Ibid.*, 37.

⁶ Kellison, *Right and iurisdiction*, 87–114.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

even of kingdoms when the welfare and safety of the Church demand.¹

The missionary priests either avoided the delicate subject of the bounds of the civil loyalty of English Catholics or gave to that important question an indirect and evasive consideration. The veteran Parsons spoke most clearly to this point and even he abandoned the unmitigated hostility which he had evidenced in his early treatises.² Parsons held that the disputed Oath of Allegiance contained much that bound English Catholics to impossible and sinful commitments in religious matters. The loyal Catholics will acknowledge "all those partes, and clauses of the oath, that do any way appertaine to the civil, and temporall obedience due to his matie, whome he acknowledgth for his true and lawfull kyng and soveraigne" and will lend to the King as much loyalty "as ever any Catholicke subiect of England, did unto their lawfull king in former tymes, and ages. . . ."³ But when the command of the civil State impinges upon the faith of the Catholic no resource is left to him save resistance. The English Government contends that it has no intention of violating the conscience of any man, but this is a question for determination by the spiritual rather than the civil authority.

Parsons evidently had no confidence whatever in the benefits which Catholicism might derive from a policy of moderation in England, and was, in fact, exerting his great influence in Rome to destroy any possibility of a compromise agreement with James.⁴ He maintained that faith need not be kept with heretics,⁵ and rose to the defence of the doctrine of equivocation. He urged that "Catholike doctrine doth allow equivocation, . . . in certaine particular cases, either for defence of obliged secret, or of innocency, iustice, and the like."⁶ The doctrine has not been developed as an instrument to meet the difficulties of the moment, but has been accepted by the Church for at least four

¹ Kellison, *Right iurisdiction*, 166-179.

² Jordan, *Religious Toleration*, I, 382 ff.

³ (Parsons, R.), *The iudgment of a Catholicke English-man* (1608), 16.

⁴ *Vide ante*, 77 ff.

⁵ R., P. (i.e., Parsons, R.), *A Treatise tending to Mitigation towarde Catholicke-Subiectes in England* (1607), 40-48. The work, which was published at St. Omer, has also been attributed to Cardinal Allen.

⁶ *Ibid.*, 277.

centuries.¹ He recommended that his co-religionists in England abstain wholly from rebellion and in so far as possible from equivocation. But under certain conditions it is necessary for a man to "equivocate, or use a doubtfull speach for a good and necessary end, . . . though the hearer doe not alwayes understand it, or be deceyved therwith."² In a period of persecution the good Catholic, if he "cannot avoyd the wrong and violence that is offred to himself or others," may "use equivocal speaches, for concealing of that which in conscience he cannot utter."³

In other words, Parsons, after observing the currents of Jacobean policy, had abandoned the cruder instrument of rebellion which he had recommended to English Catholics a generation earlier. Catholics might not in conscience subscribe to the Oath of Allegiance, but they could gain safety by nullifying the Oath through equivocation if persecution should threaten the faith. At bottom, the thought of the political party on the subject of civil obedience had undergone no change; it had merely experienced considerable refinement and sophistication.

It was the reasoned view of the missionary party that Protestantism contained fatal germs of spiritual anarchy, even then leading to its disintegration and to the break-up of the civil society in Protestant lands. Against such an enemy and in the face of such peril the True Church could not be scrupulous in its choice of weapons. As the Jesuits viewed the clash of warring groups in the English Church they felt confirmed in this judgment. Parsons clearly expressed this view in his Preface to the *Treatise tending to Mitigation*. England, he urged, was being destroyed in a confusion of persecution, spiritual anarchy, and religious disorder. "And that which most encreaseth the feeling of this misery is, that no man endeavoreth to mollify matters, but all to exasperate; no man applieth lenitives, but all corrosives; no man powreth in wyne or oyle into the wound, but all salte and vinegar; no man byndeth up . . . , but every one seeketh to crush, bruze, and breake more. . . ."⁴

¹ Parsons, *Treatise tending to Mitigation*, 279.

² *Ibid.*, 546.

VOL. II

³ *Ibid.*, 548.

II

⁴ *Ibid.*, 5.

497

Another Jesuit, writing two years later, further analysed the difficulty of the Catholic position. The Protestants claim the right of private judgment since they contend that every man is competent to interpret the Bible for himself. In reality, this doctrine has led to spiritual anarchy in Protestant countries.¹ On the basis of this doctrine the Protestant world has become divided into numerous sects and groups bitterly antagonistic to each other. Every Protestant regards his own views as infallible, condemning without reservation all who differ from his own religious conception, "and the same will they say of him, and ech one of his fellowes. And when you come to the prooфе, no one of them hath any more, but his owne head, imagination and opinion for his ground and assurance; and yet will ech one adventure his soule therin; which in truth . . . is a very madnesse indeed, if you consider it well."²

The thought of the political, or missionary, group of English Catholics remained orthodox and relatively unaffected by the repression and the peculiar conditions which were gradually forcing the thought of the spiritual party in England into different moulds. The missionary party would admit of no compromise with Protestantism; the issue must be determined without relaxing by one iota the exclusive claims of Rome to spiritual authority. Principle could not be sacrificed in order to secure better treatment for the unfortunate laymen in England. Protestantism was itself in dissolution and the Roman communion must hold itself strictly aloof from a disintegrative process threatening ruin to half of Europe.

This view was advanced by an important, and moderate, member of the missionary party, who denied that the Roman Church violated charity in holding that unrepentant Protestants

¹ Walsingham, F., *A Search made into matters of religion* (1615 ed.), 476. Francis Walsingham (1577-1647) was a native of Northumberland, and was distantly related to his great namesake. He was educated at St. Paul's, and became a deacon in the Church of England. He was converted to Rome by reading Parsons's works, and in 1606 entered the English College at Rome. He became a priest in 1608, entering the Jesuit order shortly afterwards. He visited England in 1609, the year of the first publication of the work under discussion, and spent most of his remaining years as a missionary in Leicestershire and Derbyshire (D.N.B.).

² Walsingham, *A Search made into matters of religion*, 476.

could not be saved.¹ The position of the Church results not from want of charity, but "from the religious and just care they have to awake men toward the saving of theyr soules, . . ."² Salvation cannot be attained without the sacramental ministrations of the Church, which Protestantism does not enjoy.³ The heretics have separated themselves from the means of grace and have consequently wandered far from the confines of the true Church. With such men there can be no compromise.

In recent years, Wilson noted, the disruptive tendencies of Protestantism have become so apparent that many moderate Protestants have displayed a nostalgia for the authority and certainty of the Church of Rome. It has been argued that the two Churches do not differ in the fundamentals of faith and that salvation may be gained in either.⁴ Catholicism must not relax its doctrinal position as the rigidity of Protestantism begins to give way. There is no doctrine not necessary for salvation if the Church propounds it. The line between Rome and Protestantism is drawn hard and fast, for it is the line separating absolute truth from absolute error.⁵

As we should expect, therefore, the contribution of the political group to the literature of toleration was very slender indeed. The Roman Church was committed to an institutional and a philosophical definition which made impossible the advocacy, or even the acceptance, of a general theory of toleration. The political group made fervent and impressive pleas for toleration, but never in terms broader than their own communion. Their position added nothing to the development of the theory of toleration save as men of the seventeenth century might expand their particular arguments into a more comprehensive and objective system of thought.

Parsons, in his *Judgement of a Catholick English-man*, argued effectively, if inconsistently, against the use of force in spiritual

¹ Knott, E. (i.e., Wilson, Matthew), *Charity mistaken, with the want whereof Catholics are unjustly charged* (1630). We have earlier commented upon the connection between this treatise and Chillingworth's *Religion of Protestants*; *vide ante*, 380.

² Wilson, *Charity mistaken*, 10.

⁴ *Ibid.*, 73.

³ *Ibid.*, 12.

⁵ *Ibid.*, 102-103.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

causes. He declared that the forcing of the Oath of Allegiance in England had resulted in widespread spiritual suffering and persecution. Those who have been in conscience unable to subscribe have been subjected to "the greatest afflictions of mynd, among other pressures, that ever fell unto them." For no violence is like that "which is laied upon mens consciences; for so much, as it lyeth in a mās owne will and resolutiō, to beare all other oppressions whatsoever, whether it be losse of goods, honours, digniteyes, yea of life itself; but the oppression of the conscience, no man may beare patiently, . . ."¹

No man can really be forced in his inner belief. The use of compulsion in spiritual causes can lead only to hypocrisy and a desire for revenge.² Then, too, it should be remembered that the violation of conscience is always a damnable sin, even though the substance of that to which men are compelled to conform should be true and lawful. "For he that should force a Jew, or Turke to sweare, that there were a blessed Trinity, eyther knowing or suspecting that they would doe it against their conscience, should synne grievously by forcing them to commit that synne."³ The employment of force in spiritual causes betrays a glaring ignorance of the nature of faith and the true means of its propagation.⁴

The political group of English Catholics found that their strongest argument for the toleration of their co-religionists lay in the contention that the Elizabethan policy of repression had failed to reduce the Romanists to conformity, and that the continuation of that policy subjected the State to grave danger. The shrewd Parsons, accepting the announced Erastianism of the Government, was able to make a logical and powerful case for Catholic toleration from this basis without doing violence to the traditional Catholic views on toleration and persecution.

The English Government, he held, was faced with the necessity of formulating a clear and consistent policy with respect to the Catholics. It must answer the question which it has so far evaded with unsatisfactory shifts of policy—if the Catholics are not to be tolerated, precisely what is to be done

¹ Parsons, *Judgment of a Catholick English-man*, 20.

³ *Ibid.*, 22.

² *Ibid.*, 21-22.

⁴ *Ibid.*, 23.

with them? James must recognize that persecution has been ineffective in eradicating Catholicism in England and that the Romanists will remain a substantial element in the realm, "except Noe his floud should come againe, or some other equivalent inundation, either of water, fyer, or sword. And for the later, though some thinke he could wishe it, yet who knoweth not, but that the bowels of England are so combyned and linked togeather at this day in this point, as hardly can the sword passe the one, but it must wound also deeply the other."¹ The continuation of a policy of repression can contrive only to foster hatred and division within the commonwealth, and "this is a state more fit for hell, then for any peaceable and Christian common wealth, nor of it selfe is it durable, if we beleeve either reason, or experience of former times."² Repression has driven the Catholics to desperation, a state of mind which bodes ill to the security of the State.³ "No counsaile, no reason, no regard of religion, nor other respect humaine or devine holdeth place, when men grow desperate, and all stringes of hope are cut of."⁴ Persecution and persistent discrimination against any religious group will in time engender strife within England and will expose the realm to retaliatory measures from abroad.⁵

England must face the problem of the Catholic minority honestly and reasonably. The prime condition of her policy must be the recognition of the fact that she must accommodate a body of religious men whom persecution cannot destroy, but who may be rendered politically dangerous by such repressive measures. In urging this consideration of the position of the Catholics in England, Parsons exclaimed, "I never heard or read, that too much violēce towards free subiects ever ended well, especially for supposed faultes that are not acknowledged for such by the punished; and cōsequently no hope of amendment by way of compulsion . . . some reasonable toleration and friendly treatie would bynd up wounds from bleeding

¹ Parsons, *Treatise tending to Mitigation*, 33.

² *Idem*.

³ Joseph Creswell, *S.J.*, to *Salisbury, S.P. Dom.*, *James I*, xiv, 48 (June 20, 1605).

⁴ Parsons, *Treatise tending to Mitigation*, 34.

⁵ Parsons, *Iudgment of a Catholick English-man*, 124.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

on all sydes: exulceration maketh them fester more grievously, and dangerously.”¹ England has strayed into a morass of confusion which may well destroy her. “Nothing can be more pitifull, then to see a noble house divided in it selfe, and the one to beate, hunt, and pursue the other, . . .”²

The missionary group, in the limited arguments which they advanced for the toleration of the English Catholics, laid considerable stress upon the success which the policy of toleration had enjoyed abroad, endeavouring to demonstrate that it could profitably be introduced into England. Kellison pointed out that the English Catholics were subjected to pains and penalties greater than those imposed upon any religious minority in Europe. He reminded his co-religionists that “whereas Christians amongst the Turks, can buy their libertie of conscience for money, you by no tribute can purchase such a favour. And whereas in Holland, and other countries, the magistrate layeth hands on priests and Catholikes, only when he findeth them at masse, or divine service; you are searched for more diligently than theives, murderers, and publike harlots, and are apprehended even in the streetes and fieldes.”³ The Government alleges necessity of State for these repressive measures, but experience in Europe has shown that subjects who differ in religion may in fact live together in peace and concord. Christians and Jews have resided in the same lands for centuries. Protestants and Catholics have been able to accommodate themselves within the framework of the same State in numerous European countries.⁴ There are no peculiar conditions in the English religious scene which can be argued to prevent a similar accommodation there.

The greatest of the Jesuit apologists sought, on the basis of the reasoning which we have endeavoured to analyse, to present a programme for the partial toleration of the English laity. In one of the amazing flights from orthodoxy of which he was occasionally guilty in order to drive his argument home, Parsons came close to holding that men should enjoy

¹ Parsons, *Judgment of a Catholike English-man*, 128.

² *Ibid.*, 124.

³ Kellison, *Right and Iurisdiction*, 6.

⁴ Parsons, *Treatise tending to Mitigation*, 34–35.

liberty of conscience as a natural right.¹ The right to freedom of conscience is as inalienable in man as "liberty of breathing." That liberty is a common right of all Christian men, "whereby ech one liveth to God, and to himselfe, and without which he strugleth with the torment of a continuall lingring death."²

In his reply to Barlow's attack on his *Iudgment of a Catholike English-man*,³ Parsons attempted to bring forward a systematic argument for the toleration of his co-religionists. The English Catholics do not demand an equality in religion. They require only a "liberty of conscience . . . or if not that, yet at leastwise some moderate toleration of the use of that religion" which for so many centuries was universally accepted in their native land.⁴ They stand ready to renounce the properties and endowments which have been taken from their Church if they may only "remayne with some kind of quiet and rest, for the use of their . . . consciences in private, which they promised to use with all humility and moderation, without scandall, or publicke offence." The lay Catholics, he pointed out, had publicly announced that in evidence of their good faith they were willing to undertake the burden of a recusancy fine or a yearly tribute, if "by this meanes, they might have some externall peace, and quietnes from the continuall molestations" which they now suffer.⁵

Such a toleration, Parsons argued, would involve no change in the Establishment and would offer no threat to the security of either Church or State. The legal recognition of a religion to the extent of permitting it the right of worship in no sense indicates that it enjoys the approval of the State.⁶ The Catholics do no more than to appeal for that liberty which Protestants have always defended when they find themselves in a minority status.⁷ How then can it be deemed presumptuous for Romanists to champion a characteristically Protestant doctrine?

¹ We have previously commented upon this characteristic of Parsons's thought; *vide* Jordan, *Religious Toleration*, I, 382-394.

² Parsons, *Iudgment of a Catholike English-man*, 38.

³ Parsons, *A discussion of the answere of M. VVilliam Barlow, D. of Divinity, to the booke intituled: The iudgment of a Catholike Englishman living in banishment for his religion &c. Concerning the apology of the new Oath of Allegiance, etc.* (St. Omer?, 1612).

⁴ *Ibid.*, 252.

⁵ *Ibid.*, 253.

⁶ *Ibid.*, 254.

⁷ *Ibid.*, 256.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

In a closely knit and well sustained argument Parsons endeavoured to prove that the Catholics enjoyed a much stronger claim to toleration in England than did the Puritans. Puritanism derives itself from the Church of England and may therefore be disciplined as a sect. But Catholicism was prior to both "and consequently the Protestant church can have no spirituall iurisdiction upon the sayd Catholickes, and much lesse by right, or reason, can they barre them the use of their religion." The Catholic Church has itself accepted this position with respect to the Jews in Rome, who are tolerated in their faith because "they were in possession of their religion, before Christians, and went not out from them, as Protestants did from Catholickes."¹ Certainly, the Roman Catholic Church enjoys a far better right to persecute the sects than have the Protestants to persecute Romanists. But Rome has found it expedient to relax to some degree her formerly inflexible attitude towards heresy. Rome has been far quicker to recognize the actualities of circumstances over which she has no control than has the English Establishment. For she has been constrained to forgo the right of persecution in many countries in Europe and to "tolerate different sectaries also, when they are so multiplied, as they cannot be restrayned without greater scandall, tumult, and perturbation" than the benefits which would accrue from such restraint.²

In summary, the missionary party was intimately associated with that wing of the Roman Catholic Church which sought in the later sixteenth and in the early seventeenth century to exalt the power of the papacy and to reiterate in terms of existing conditions the familiar medieval doctrine of spiritual supremacy. At the same time, this group could scarcely avoid the admission that the results of a generation of heroic and self-sacrificing effort to implant Roman Catholicism in England had been discouraging in the extreme, and Parsons and his colleagues tended to be evasive in treating the question of the obedience due to an heretical prince. The Jesuits remained consistently opposed to any compromise with Protestantism, which they regarded as in dissolution, holding that the true Church must maintain a rigid defence of its own lines. Since

¹ Parsons, *A discussion of the answere*, 259.

² *Ibid.*, 260.

they could not admit the theoretical right of toleration, the Romanist apologists were driven to highly specialized and often specious arguments in pleading for the toleration of their co-religionists in England. They pointed out that the policy of repression had failed to extirpate Catholicism and that further adherence to the policy would gravely endanger the foundations of the State. There was in this view a significant moderation when their thought is compared with that of the political group in the earlier period. Even Parsons, in his last work, appears tired and worn by the long struggle to restore Catholic supremacy in England. He virtually conceded that Catholicism must be content with a minority status—it was toleration and not supremacy for which he pleaded. And most remarkable of all, the now aged Jesuit was prepared to admit toleration as a general principle when a persistent religious group defied the arms of persecution. In this view there resided the promise of great hope. The proud and inflexible intolerance of Catholicism was slowly being weakened by the continued repression of its communicants in England, and it was being compelled to grant that it could itself accept a sectarian status under certain conditions.

C. THE SPIRITUAL (LAY) GROUP

The tendency of English Catholic thought grudgingly to accept a sectarian status was far more pronounced in the spiritual group than in the missionary party. It may be said that the Catholic laity in the seventeenth century, so far as their literary expression was concerned, were consistently prepared to disown the announced programme of the Jesuits for the overthrow of the Protestant Establishment in England and the setting up of a Catholic government and a Catholic religious order. The laymen sought, indeed, to emphasize the fact that they represented a minority group in England differentiated from other Englishmen only by peculiar religious views which they held in conscience. They were prepared to accept a minority status permanently, and endeavoured to convince the Government and their fellow citizens that their religious views in no sense detracted from the loyalty which they bore to their sovereign.

The pleas of the spiritual group were effective and convincing, and there is no reason for questioning the sincerity of their representations. They denounced the Jesuits and, indeed, the officially expressed policy of the Church in terms quite as vigorous as those employed by many of the Protestant apologists of the same period. They appeared disposed to embrace the principle of toleration as the solution for their own difficulties and, indeed, as the solution for the larger problems of English religious life. Most of the lay thinkers were obscure men and we detect in their petitions and treatises a pathetic evidence of the temper which the slow but steady pressure of Elizabethan repression had produced in men who were the helpless pawns in the high game which the Jesuits and the papacy had sought to play in England. These laymen, most of them a generation removed from the fiercer Catholicism of the early Jesuit missionary effort, had developed a point of view and a religious philosophy in sharpest contrast to the official attitude of the Church. They were now fully prepared to compromise for the sake of peace.

In remarkable contrast to the thought of the political party was the clear and unequivocal expression of loyalty and patriotism voiced by the spiritual group. They declared that they were attached to the Crown and to England by ties of loyalty which neither persecution nor hardship could sever.¹ They reminded James of the sufferings which his mother had incurred because of her faith, and of the constancy which they had displayed both to her cause and to his own.² They had consistently supported his accession to the throne, and they declared that their devotion to the Crown would remain constant. They were constrained to address James in order to clear themselves of calumnious rumours and in order to evidence the "great joy and comfort" which his accession had brought to all loyal Catholics. They desired to express "the great hope which we have conceived of your princely lenity and benign nature" which "doth in a manner assure us, that your majesty coming

¹ E., M., *The Application of the Lawes of England for Catholike Priesthood, and the Sacrifice of the Masse* (1623), A 3; S.P. Dom., *James I*, April? 1603, i, 56; *A Petition Apologeticall, presented . . . by the Lay Catholikes of England, in July last [1603]* (Douay, 1604), 21-22.

² S.P. Dom., *James I*, i, 56; *Petition Apologeticall*, 7-8.

to this imperial crown will give happy end to our miseries and troubles. Our humble petition to your majesty is that you would have that opinion of us as of others your majesty's good subjects, who are and ever will be ready to spend the best blood in our bodies for your majesty's service."¹ They reminded James of the disabilities under which they laboured and of the discrimination which had so long been exercised against them. Yet, despite these constant irritants, no Roman Catholic had "ever lifted up a finger to the least damage, or detriment in the world of our prince or country."² The wealth, the blood, and the complete loyalty of the Catholics of England were declared to be dedicated to the services of the Crown.

The lay Catholics sought in their petitions and addresses to give positive indications of the loyalty which they bore to the State and to rid themselves of the suspicions so justly attached to the motives and activities of the political group. In 1604, while the Oath of Allegiance was under nebulous discussion, this group announced that they were prepared to take "corporall oaths, for continuing their true allegiance to your maiestie and the state," and to designate hostages who should pledge their lives to the meticulous performance of the civil loyalty which they owed to the State.³ At the same time, they declared that they would join in petitioning the Pope for the recall of any priest who was not prepared to abide by the obligations which they stood ready to assume.⁴

This view was even more strongly expressed some years later after the hysteria raised by the Gunpowder Plot had resulted in the framing of the Oath of Allegiance and the enactment of stringent penal legislation. William Warmington, a priest who had embraced the cause of the spiritual group, declared that the Government had been justified in requiring the Oath

¹ *The English Catholics to King James I* (April 1603), printed in H.M.C., *Report on MSS. in various collections*, III, 124.

² *Petition Apologeticall*, 13.

³ *A supplication to the Kings most excellent Maiestie. Wherein, seuerall reasons of state and religion are briefly touched* (Douay, 1603 or 1604). Slightly variant texts are reprinted by Powell, Gabriel, *A consideration of the Papists reasons of state and religion, for toleration of Poperye in England* (Oxford, 1604), and in *The supplication of certaine masse-priests falsely called Catholikes* (L., 1604), usually attributed to Alexander Cooke. The latter texts have been employed.

⁴ Powell, *A consideration*, 125.

because of the treason laid bare by the Plot,¹ and every loyal Catholic should subscribe to the Oath. The purpose of its exactation was to "distinguish betweene true and faithfull, and hollow-hearted Catholike subiects," and the Government had exercised great care in refraining from impinging upon the faith of any Catholic. No power on earth can justly prohibit a loyal Catholic from taking the Oath.² In dubious points of law and doctrine the Catholic must heed the command of the Pope, but no such judgment is necessary in a clear case of civil duty.³ Indeed, a Catholic may even ignore the express command of the Pope without sin in this case, for he owes an allegiance to his civil lord which the mistaken zeal of his spiritual lord cannot abrogate.⁴ The Oath was designed for the "conservation of his maiestie and the whole commonwealth in tranquillitie and peace."⁵ It requires no more than clear evidence of the loyalty of the Catholic and no power can annul that obligation.⁶

The lay group sought to distinguish themselves sharply from the missionary party and to make it clear that they had no sympathy with the seditious and fanatical programme of the seminary priests. This view was clearly expressed before the Plot, and after that critical incident no lay petition failed to denounce the tactics of the extremist party.

It was argued that the Catholics had given abundant evidence of their loyalty and devotion by shouldering the burden of

¹ Warmington, *A moderate defence of the Oath of Allegiance* (L., 1612). Warmington was born in Dorset in 1556. He embraced Catholicism while at Oxford and removed to Douay, where he studied for some years. He became a missionary priest, and was sent to England in 1579 and again in 1581. He was arrested on his second visit and was imprisoned until 1585, when he was transported to France. He was for some time chaplain to Cardinal Allen, returning to England in 1594 to labour there as a priest for a decade. He was imprisoned at the time of the Powder Plot, and after long consideration resolved to take the Oath of Allegiance. He published the *Moderate defence* of his own free will. He had by this time decided that the missionary party had erred in its zeal and espoused the moderate and spiritual position of the lay group. Warmington was released shortly after the publication of the treatise under consideration and, having been disowned by his friends, was attached to the household of Bishop Bilson, where for the remainder of his life he lived as an undisturbed and devout Catholic.

² *Ibid.*, 7, 9, 13, 44.

⁴ *Ibid.*, 64.

508

⁵ *Ibid.*, 65.

³ *Ibid.*, 63.

⁶ *Ibid.*, 66-68.

the recusancy fines, submitting to the confiscation of their property, and bearing the grievous disabilities placed upon them. Their sufferings had been the supreme test of loyalty, and nothing had been able to drive the lay Catholics to treason or to plots.¹ The religion of the Catholic requires him to lend the most scrupulous obedience to the State, and the lay Catholics are therefore an asset to the realm. The good Catholic is no more affected by the radical utterances of the Jesuits and other extremists than are moderate Protestants by the fanatics who have frequently preached sedition for religious causes.² The English Government has long recognized the fact that such a distinction should be drawn between the two Catholic groups in England.³ The lay Catholics acknowledge the authority and title of the King as a duty imposed by their faith, even if the monarch happens to differ in religion.⁴ And they are quick to protest that such obedience is "inviolable . . . against the ambitious claime or cōpetencie of all pretenders whatsoever forraine or domesticall; . . ."⁵ The wise Government will recognize that such subjects should be drawn closer, and that a continuation of undiscriminating harshness will do no more than give "occasion to the frailer sort, of adventuring their soules to everlasting damnation, by dissembling their faith and religion."⁶

¹ *A svpplication* (1603 or 1604), in Cooke, *Svpplication*, E.

² Anderton, James?, *The Apologie of the Romane Church* (Douay?, 1604), 164-168. There is some doubt about the authorship of this book, which was signed I. Br. James Anderton was a Catholic layman, often confused with Laurence Anderton, a brother, who was a gifted Jesuit. Dodd and Tierney were agreed that James was a member of the lay party. The authorship of the work under discussion has been ascribed to James by *D.N.B.* and the *H.C.L.* catalogue, and to Laurence by the *Mc.* catalogue and *Short Title Cat.* It is the opinion of the writer that the work was probably by the former.

Anderton's denunciation of Jesuit extremism was supported by another writer of the period, who exclaimed, "Therefore . . . if some fewe unhappy men of our religion have made trāgression of their allegiance, we hope it shal be no motive to change your grave and unresolved minde from thinking it undue to impose a burthen upon innocents, for the fact of the guiltie, . . ." (*To the . . . Earl of Salisbury . . . petition of the Catholikes of England*, printed in *English Protestants Plea* (1621), 86.)

³ Anderton, *Apologie*, 170-171. ⁴ *Ibid.*, 175-177. ⁵ *Ibid.*, 177.

⁶ *A Svpplication* (1603 or 1604), in Cooke, *Svpplication*, D 4, and Powell, *A consideration*, 16.

As we have indicated in our discussion of governmental policy, the Gunpowder Plot resulted in a short period of stringent repression of Catholicism in England. It was apparent to the spiritual party that the sufferings which fell upon them had been due in no small measure to the persistent machinations of the extremist group, and they took occasion to reiterate their loyalty and to disavow any philosophy of violence or extremism. They declared that the Plot had been universally abhorred and denounced by the lay group.¹ They protested their complete loyalty and their desire to evidence their patriotism by any reasonable test.² Somewhat later, in reviewing the Catholic policy of the Government, the recusants declared that their long suffering had been caused principally by the Pope's mistaken efforts to remove Elizabeth from the throne and by the inhuman fanaticism of the extremist party. They completely disavowed their willingness to support either the Pope's pretensions to temporal power or the seditious plans of the seminary priests. In their view and understanding, there was nothing in the Catholic religion which prevented men from being good and loyal subjects. They consequently desired "the mercy of their Lordships, in mitigation of the penal laws, for their crime is only a different way of serving the same God they serve, the same Christ in whom they believe."³

The lay Catholics had proclaimed their loyalty to the State and had denounced the political implications of their Church's programme in convincing terms. They contended that their long record of unswerving loyalty entitled them to more moderate treatment since the Government claimed that it would undertake repression only against those elements seeking to cloak sedition under the guise of religion. The spiritual group proceeded from this argument to a convincing attempt to prove that religious coercion had failed to eradicate Catholicism

¹ *English Protestants Plea*, 59. This work is a valuable collection of Catholic petitions and addresses of the Jacobean period.

² *Catholic Petition to James I "iustifying the Innocencie of Catholikes, and trueth of their Holie Religion, against all best learned Protestants Aduersaries"* (1605), *English Protestants Plea*, 63.

³ *To the Honourable, the knights, citizens and burgesses of the Commons House in Parliament now assembled. The humble petition of the lay-Catholiques recusants of England* (L., 1641). *Vide H. of L. Cal.*, July 6, 1641, IV, 84; *L.J.*, IV, 302; and broadsheet copies in B.M. and H.C.L.

in England and that the Government should redefine its policy in order to accommodate those Romanists who could give unimpeachable evidence of their political loyalty.

They pointed out that the early years of Elizabeth's reign had been the happiest in the great Queen's long span of power. Those years were free from "bloud and persecution, so were they frawght with all, kinde of worldly prosperity; no prince was for that space better beloved at home, or more honoured or respected abroad, no subjects ever lived with greater security or contentment, never was the realme more opulent or abundant; never was both in court and countrie such a generall time of triumph, joy, and exultation."¹ The land was at peace and the Church of England grew rapidly in strength and repute.²

When, however, the Queen permitted this sane and moderate policy to be overthrown because of the seditious policy of a few Catholic extremists and the mistaken zeal of the papacy, the greatness of her reign was seriously dimmed. War, dissension, and plots beclouded the political atmosphere.³ Trade and traffic decayed, taxes were greatly increased, and the land was filled with discontent.⁴ The attempt to stamp out the Protestant sects was unsuccessful and the Roman Catholics, whose strength had declined during the tolerant years of the early reign, greatly increased in numbers under persecution.⁵ In the late years of the reign it became evident that the policy of persecution had failed, and the astute Elizabeth "beganne agayne to thinke of her former fortunate dayes, and to incline to a milder course, as the only meanes to settle her and her realme in peace, security, and former prosperity: . . ."⁶ She had learned that the basis of political security lies not in religious uniformity but in loyalty to the State, and that

¹ *Petition Apologeticall*, 13-14.

² *An Epistle, or Apologie of a true and charitable brother of the reformed Church in favor of Protestants, papists, and those of the Reformation* (L.?, 1603-1605), printed in Powell, G., *A refutation of an epistle apologeticall* (L., 1605).

³ Powell, G., *The Catholikes supplication unto the Kings maiestie; for toleration of Catholike religion in England* (L., 1603); Tierney, *Church History*, IV, lxxiii.

⁴ Powell, *Refutation of an epistle*, 80-81.

⁵ *Ibid.*, 81.

⁶ *Petition Apologeticall*, 14.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

religious persecution by setting particular groups apart introduced a chronic irritant into the body politic.

James, the lay Catholics urged, must frame his policy in the light of English experience. Elizabeth had been greatly provoked and, it might be urged, had been driven to embrace a policy of religious repression in order to secure her throne and title.¹ But James faced no such dangers either to his title or to his person.² His policy should consequently be framed upon a broad tolerance which, while guarding the State against sedition, would secure to the Government the devotion and loyalty of his Catholic subjects. "If we have the truth why should we feare that other religions should have libertie with us?"³

The lay Catholics were not content with pointing out that the policy of repression had failed. They sought by the use of *politique* arguments to prove that further adherence to a policy of religious coercion was dangerous to the State. Two points of view were explored in pursuing this argument, which sought to analyse the policy which a wise Government should assume towards a persistent nonconformist group.

It was admitted, in the first place, that ideally a nation should be of one religion.⁴ When diversity is widespread, however, this ideal can be attained only through the persuasion of those who dissent and through the power of the Word of God, which "cutteth on every side and pierceth more deeply to winne the hart of man and alter his understanding for planting the Gospell, then any humane force whatsoever."⁵ When diversity first appears it may be possible to eradicate it by violence, but in England nonconformity has taken deep root.⁶ To attempt to destroy all those who dissent from the Established Church or to compel them to a formal acceptance of Anglicanism would be a cruelty which English public opinion would not tolerate. And to impoverish the Roman Catholics by ruinous fines would gravely weaken the commonwealth, "being so linked to them as many waies we are."⁷ The State

¹ *Petition Apologeticall*, 14.

² *Ibid.*, 14-15.

³ Powell, *Refvtation of an epistle*, 86.

⁴ *Ibid.*, 50.

⁵ *Ibid.*, 51.

⁶ *Ibid.*, 51-52.

⁷ *Ibid.*, 53. The treatise was written as if by a Protestant.

is a delicate organism which will be destroyed if violence is exercised against any of its members. Historical experience has demonstrated that political and social disaster inevitably follow upon long-continued religious persecution.¹

Nor could the lay Catholics refrain from advancing the effective, but extremely dangerous, argument that the Catholic minority in England provided the Government with a balance between the Puritans and the Anglicans. They represented that the Puritan faction was rapidly gaining in strength and that the Government faced the grave danger that it might ultimately "attempt the overthrowe of the Protestant, and bring the kingdome, especially the ecclesiasticall state to a paritie or popular forme of government, if the Catholike . . . were once extinguished: . . ."² If the restraint which the State had thus far been able to impose upon both of the extremist Protestant groups should ever be weakened or relaxed, disorder and violent persecution would probably ensue. The Crown, it was insinuated, could greatly increase its strength and divert this danger by binding the Catholics to it in perpetual gratitude through the extension of a reasonable toleration to them.³

It will be observed that the spiritual party in England had endeavoured to convince the Government of its complete political loyalty. This group had so far disavowed the supremacy of the Pope in temporal matters and had so forcibly denounced the missionary efforts of the seminary priests that it had fairly insulated itself from the principal currents of orthodox Catholic thought. The Catholic laity had sought to give full evidence that its members were English in sympathy and loyalty and that they were separated from their countrymen in no other respect than their religious faith. They had shown that, whatever had been the provocation underlying Elizabethan repression, this policy had failed and that, in any event, no such safeguards were required for the safety of the Jacobean Government.

The lay group, indeed, went considerably farther in their

¹ Powell, *Refutation of an epistle*, 93-96, 99.

² A *Supplication* (1603 or 1604), in Powell, *A consideration*, 9.

³ A *Supplication* (1603 or 1604), in Cooke, *Supplication*, D 4.

thought than these reasonable and *politique* arguments. The insularity of the group and its factual separation from Catholic thought was evidenced in its unqualified acceptance of the doctrine of religious toleration. The spiritual party not only pleaded for toleration for themselves, but based their arguments upon abstract principles founded in right and religion which were wholly at variance with Catholic thought in this generation. Their views were, in fact, sectarian in spirit and character and would appear to indicate that the rigid policy of the papacy had gone far towards alienating a substantial portion of the flock in England.

The spiritual Catholics maintained that religious persecution was both ineffective and iniquitous. They professed to believe that James I was convinced in conscience that persecution should be abandoned as an instrument of religious policy. They had "assuredly hoped, he would not singularie drawe his sword of persecution against us, his most dutiful, faithful, and obedient subiects, in whom he could find nothing to revenge or punish: . . ."¹ A policy of repression against any religious group cannot be sustained in equity unless that faction has been guilty of disloyalty either to God or to the earthly magistrate.² The spiritual Catholics have carefully abstained from any seditious designs and they have witnessed their devotion by enduring crushing disabilities.³ "Therefore in conscience and justice you cannot upon this pretence, rayse a general persecution against us" and punish the innocent with the guilty.⁴ If it is admitted that these Catholics are guilty of no sedition and constitute no danger to the State, it must follow that they suffer only for their faith.⁵ For their recusancy proceeds from the earnest conviction that the Roman Catholic faith alone is true and that even forced attendance at any other religious service is sinful.⁶ Unless the very nature of religion is to be violated, no just course remains but to tolerate the scruples of those English Catholics whose loyalty has been demonstrated and remains unimpeached.

¹ *The humble petition of the chiefe Catholike Recusants of England, presented to the high Court of Parlement, in the year 1605, English Protestants Plea, 72.*

² *Ibid., 73.*

³ *Ibid., 74-75.*

⁴ *Ibid., 75.*

⁵ *Ibid., 76.*

⁶ *Ibid., 79.*

The Christian world has for too long been distracted and torn by persecution. Surely it is now evident that persecution for religion has no place in Christ's Church. Christ has commanded us to leave error undisturbed. When men have sought to extirpate it they have destroyed good as well as evil, and they have brought ruin upon both State and Church by their intemperate zeal.¹ "This meeke spirit of the Lord I wish were followed of all in hart, word, and deede, and not the overthrowe of our adversaries in faith sought by the arme of flesh. For they being with us all members of one body, and subiect to one soveraigne, we must accompt them as brethren and love them as our friends, but much more because we are all children of one heavenly father, who indifferently letteth fall upon us from day to day the fruitfull showres of His blessing, and suffereth His Sonne to shine upon them also whilst they live in this world, and may by His favour in time be wonne, and converted."² There will always be heresy in the world. Indeed, God has ordained that error shall always be present in order to purify and test His Church.

Faith is the gift of God alone and cannot be beaten into men. Christ drew men by meekness rather than by violent courses.³ It would seem far better to leave the great mystery of election to God's disposition, while confining our attention and energy to those fields in which we have knowledge and authority. We have impeded our own spiritual knowledge and have restricted the range of our vision by the impediments which we have placed upon inquiry and preaching. We may form a better judgment and shall certainly hold our own faith more intelligently if "we have heard with patience what every man can say and alledge in his cause."⁴ Reason and patience alone were the instruments of the primitive Church, in which no man's mouth was ever stopped by violence.⁵ If free discussion and free investigation were permitted for a season in England, assuredly truth would rise out of the welter of sects and opinions which now confuse and distract men. "For as the truth cannot be overcome, so error and heresies cannot long stand but will at length of themselves perish."

¹ Powell, *Reftvlation of an epistle*, 57-58.

³ *Ibid.*, 65.

⁴ *Ibid.*, 67-68.

² *Ibid.*, 62.

⁵ *Ibid.*, 71-72.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

But when restraint and persecution are employed, the streams of heresy are driven deep and are likely to fuse into a mighty force which will sweep away the very foundations of religion.¹

Though the *Epistle, or Apologie* was written as if by a Protestant, and though it employed typical sectarian arguments, it is evident that the writer was completely sincere and that he did no violence to the lay thought of his period. The English Catholics had disowned their dream of restoring a rigid and intolerant Catholicism in England. They were prepared to accept toleration as a minority sect and, with fine confidence in the truth of their profession, to permit their faith to stand or fall in free competition with the other religious groups in England. The lay Catholics had denounced the efficacy of persecution under all conditions and had accepted the view that faith can be advanced only by spiritual means. Political circumstances had brought them very far indeed from the historical position of their Church.

The lay Catholics, upon the basis of the thought which we have examined, were able to make a consistent and effective plea for toleration. They declared that they desired as much liberty of worship as "others of contrary religion to that, which shall be publicly professed in England, . . . For, if our fault be like, or less, or none at all, in equity our punishment ought to be like, or less, or none at all."² They asked for no more than Christian princes and pagan States had found it wise and just to grant to faithful subjects of another faith.³ The loyal Catholics desired only that they should be made as able to serve England as they were willing. They desired to be lifted up, "not by newe dignities and authorities, but by restoring us to our pristine honours, and honest reputations, and to our birthright freedome, . . ."⁴ England will gain nothing by causing faithful subjects to "rotte in prison, die in banishment, and live in penurie and disgrace; for no other crime or offence" than their constant devotion to that faith which they conceive

¹ Powell, *Refutation of an epistle*, 77.

² *The Catholikes supplication unto the Kings maiestie* (1603), Tierney, *Church History*, IV, lxxiii; *S.P. Dom.*, *James I* (April? 1603), i, 56.

³ *Catholic Petition to James I "iustifying the Innocencie of Catholikes"* (1605), *English Protestants Plea*, 65-66.

⁴ *Petition Apologeticall*, 32.

to be the true worship of God and hence necessary for their salvation.¹ For too long the Catholics of England have been no more than half-men and half-subjects, for "the better halfe of our livinges, goodes, friendes, and fortunes, wherewith we should be the better able, and have greater courage to serve your majesty, are taken from us, and yet your maiesties coffers little the better therefore."² In an eloquent and moving conclusion the lay Catholics pleaded that James should make them "as other your subjectes are of all professions, intire and absolute English-men; . . ."³

The Government, they urged, should admit the fact that uniformity of religion does not exist in England and that it can never be attained by rigorous means. The Catholics dissent, not because of stubbornness, but because of a "true reall obligation of meere conscience." Whether their faith be true or erroneous is not really a relevant question. For "an erroneous conscience bindeth as strongly, and under equall paine, as doth the conscience that is best and most rightly informed."⁴ Gentle methods and the operation of time alone can cure the spiritual wounds of England. "The meanes to apease dissentions are not rough speeches nor hard usages, which if in all quarells it be true . . . then is it much more in matters of understanding as are faith and religion, wherein whensoever willfullness is ioyned, perswasion may perhaps prevaile alone, but force without reason never."⁵ If men cannot be persuaded to accept truth, they must be left in error.⁶ The Church of England must use the means which Christ has allowed for advancing its conception of religious truth, and, at the same time, the various religious groups must be bound to the State, within the framework of toleration, by ties which have no relation to religion. In other words, the lay Catholics sought desperately to show that it was now possible for a Romanist to be at once a faithful son of the Church and a loyal Englishman.

The granting of some measure of toleration to the Catholics

¹ *Petition Apologeticall*, 32.

² *Ibid.*, 36.

³ *Ibid.*, 37.

⁴ *A supplication* (1603 or 1604), in Cooke, *Supplication*, O 4, and Powell, *A consideration*, 124.

⁵ Powell, *Refutation of an epistle*, 103.

⁶ *Ibid.*, 105.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

would, it was urged, vastly improve England's position abroad, and would greatly strengthen and benefit the realm internally. Nor would England venture upon this step without the experience and guidance of other nations. For France, within a decade, had been "well nigh torn in pieces with civil warres, and made a pray to forraine foes" through a misguided effort to persecute and destroy a strongly entrenched religious group.¹ France was saved by the determination of a wise king to bring peace to his nation by toleration.² If James should undertake a similar policy, it "would bring unspeakable renowme to your maiestie, withall the chiefest rulers of the Christian world, and endlesse comfort to x thousands (who otherwayes living against their conscience, must needs abide in continuall horrour of soule) . . ."³

At the same time, the extension of toleration to the English Catholics would result in the gratitude of the Catholic princes abroad.⁴ England might then exert strong influence towards securing better conditions for the Protestant minorities in Catholic countries. It may be argued that England's greatest danger lies in an invasion by a foreign foe in the interests of the Catholics. Not only would this threat be removed, but the lay Catholics would be bound to the King by the strongest of ties. The monarch could rest assured that in the event of such an invasion, "under what shadow of title or authority soever," he would have the united support of his Catholic subjects.⁵ In fine, the granting of toleration would so cement the realm that even a crusade launched by a Catholic power with the approval of the Pope would be sternly resisted by the English Romanists.

Finally, it was urged that the adoption of a policy of toleration would greatly benefit the Established Church and the spiritual state of the realm. Each religious group would then depend solely upon the weight of its teachings and the power of its truth. Each communion would be excited to "a right earnest

¹ *A supplication* (1603 or 1604), Powell, *A consideration*, 10-12.

² *S.P. Dom.*, *James I*, i, 56.

³ *A supplication* (1603 or 1604), Cooke, *Supplication*, B.

⁴ *The Catholikes supplication unto the Kings maiestie* (1603), Tierney, *Church History*, IV, lxxiii.

⁵ *A supplication* (1603 or 1604), Cooke, *Supplication*, D 4.

and zealous aemulation, or holy strife," which would redound to the benefit of all England.¹ Every man would labour faithfully and quietly for the perfection of his own faith and the propagation of his views within the framework which the State had prescribed.² A peace, a prosperity, and a religious dignity would then descend upon England which "could never . . . bee brought to passe by force of warre or bloudshed."³

The lay Catholics were so heartened by the early clemency of James and so thoroughly convinced of the justice of their plea for some measure of toleration that fairly definite proposals were rather timidly advanced. The first may be regarded as the minimum concession which would have met the requirements of the spiritual group. The petitioners declared that they did not require the "allowance of some fewe churches, for the exercise of our religion, nor yet the allotting of any ecclesiastical living towards the maintaining of the pastors of our soules."⁴ They would rest content if the Government would secure the repeal of the penal laws against recusancy, and if they might worship in private houses, "if not with approbation, yet with toleration, without molestation."⁵

A few months later a more detailed and ambitious proposal was presented to the Government, which may be said to represent the maximum desires of the English Catholic laymen. They pointed out that their religion could not be maintained without a responsible priesthood, and that the Government should prefer that the English priests be known and registered. A few hundred carefully chosen priests would suffice, and the lay Catholics declared themselves ready to undertake personal responsibility for the conduct and activities of their spiritual leaders.⁶ They stood prepared to pledge their lives and property as security for the character and actions of such priests as they entertained in their homes.⁷ They desired that the conduct of their priests should be public knowledge and they would exercise

¹ *A supplication* (1603 or 1604), Cooke, *Supplication*, E.

² *Petition Apologeticall*, 35.

³ *A supplication* (1603 or 1604), Cooke, *Supplication*, E 1. ⁴ *Ibid.*, B.

⁵ *Idem*; *The Catholikes Supplication unto the Kings maiestie* (1603), Tierney, *Church History*, IV, lxxiii-lxxiv; and *vide* the related petition in *S.P. Dom.*, *James I*, i, 56.

⁶ *Petition Apologeticall*, 33.

⁷ *Ibid.*, 34-35.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

the greatest discretion in choosing them. They would agree to reveal any plot or intended treason to the Government and to defend the King "against all invasions, or forraigne enemies, upon what pretence soever." Every English Catholic would be cognizant of the fact that the preservation of the precious benefits of toleration depended upon the scrupulous observance of their pledges, and the system would in consequence be self-enforceable. As a matter of self-protection, as well as to express their loyalty, the Catholics would desire a formal oath of allegiance as a condition of the benefits for which they petitioned. And they further desired to assure the Government that "this same oath and protestation, our priests so permitted, shall take before they shall be admitted to our howses, otherwise they shall not have releife of us."¹

This pledge of loyalty and of determination scrupulously to distinguish between civil loyalty and religion was sincere and, it may be believed, expressed the sentiments of the overwhelming majority of lay Catholics in England. The programme of the missionary group had been formally disowned. England no longer stood in danger from the Catholic revival. Unfortunately, however, numerous forces contrived to deter England from granting the reasonable and moderate toleration which the Catholics had requested. England had not yet forgotten the fanatical and dangerous attack of the Jesuits and their allies upon the throne and the established order two decades earlier—she was still afraid, and intolerance is ever the child of fear. Nor had the Government or the lay Catholics the means for ensuring the public peace against the insane actions of fanatical persons who from time to time reincited public opinion against Catholicism. No satisfactory formula had yet been devised which could infallibly distinguish between the loyal Catholics and those extremists whose weapons were sedition and assassination. It was the tragedy of English Catholicism that the many were to suffer for the sins of the few. And finally, Catholic toleration was delayed by Stuart ineptitude. James was tolerant, but he sought to lead England more rapidly than public opinion could possibly follow. A dull resentment against James's liberality to the Romanists was to give way to a stern conviction

¹ *Petition Apologeticall*, 35.

ROMAN CATHOLIC THOUGHT

that Charles I and his spiritual advisers were deliberately seeking to restore England to the Roman fold. Rarely has a more tragic misunderstanding existed between a Government and its people. Catholic toleration was to be delayed for generations as the consequence of a suspicion which became more or less permanently embedded in the dim recesses of the public consciousness.

INDEX

Abbot, George, Archbishop of Canterbury, 45-46, 139, 140, 345.
and the Vorstian controversy, 335.
on fundamentals of faith, 36, 37.
on heresy, 35-36.
reputed letter of, to James I, 106-107.
support of Dury by, 365.

Abbot, Robert—
biographical note on, 144, n. 4.
definition of Church by, 144-145.
on power of magistrate in Church, 146.
on Roman Catholic Church, 38, n. 4.

Acontius, Jacobus, 246, 274, 338, 431.

Adams, Thomas—
biographical note on, 155, n. 3.
on liberty of conscience, 155.

Ainsworth, Henry, career of, in Holland, 223, 224.

Allen, William, Cardinal, 494.

Althusius, Johannes, 455.
Erastianism of, 329.
thought of, 328-330.

Ames, William, 220.
on heresy, 210.
on liberty of conscience, 211.

Anabaptists, *vide* Baptists.

Anderton, James—
biographical note on, 509, n. 2.
denunciation of political Catholics by, 509.

Andrewes, Lancelot, Bishop of Winchester—
on fundamentals of faith, 148.
on power of magistrate in Church, 146-147.

Anglicanism—
moderate party—
definition of Church by, 143-145.
embittered by favour to Roman Catholics, 195.
fear of Anglo-Catholicism by, 123, 143.

Anglicanism—*continued*.
on fundamentals of faith, 147-150.
on heresy, 150-153.
on liberty of conscience, 154-156.
on power of magistrate in Church, 145-147.
thought of, 143-157.

orthodox party—
Bacon's criticism of, 462 ff.
denunciation of Puritanism by, 21.
thought of, 34-38.
vide also Anglo-Catholicism, Church of England, Government.

Anglo-Catholicism—
alliance of, with Crown, 117.
a minority in Church of England, 117.
and Arminianism, 115.
arrogates leadership in Church of England, 115.
Charles I's favour to, 122-123.
Conn's sentiments on, 192.
definition of, 115-117.
disavowal of predestination by, 158, n. 1.
drift of, towards Rome, 116.
Falkland on, 374-375.
Fr. Leander's hope in, 187-188.
in power, 137 ff.
intolerance of, 315.
moderate Anglican fear of, 123, 143.
opposition of Privy Council to, 124.
opposition of public opinion to, 120-121, 197.
parliamentary attacks on, 1625-1626, 117-121; 1628, 121 ff.; 1640, 165-169.
parliamentary resolutions against, 1629, 128-129.
Puritan detestation of, 123.
Puritan struggle with, 201-202.
Pym's attack on, 125, 167.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Anglo-Catholicism—*continued.*

Rous's attack on, 167.
Rudyerd's attack on, 166.
thought of, 116–117, 119, 129–137.
vide also Anglicanism, Church of England, Laud.

Answeare of the Vicechancelour— typical of Anglican abuse of Puritanism, 20–21.

Antinomianism, 139.

Apologie or Defence—

definition of Church in, 251–252.
on liberty of conscience, 254–255.
on power of magistrate in Church, 248–249.

Arianism, *vide* Socinianism.

Arminianism, 205, 380, 396, 445. and Erastianism, 455. attack of, on predestination, 324–

325, 334, n. 1.

Confession of, *vide* Episcopius.
freedom for, in Holland, 348–349.
general discussion of, 319–349.
influence of, on Baptists, 263.
influence of, on Congregationalists, 224.

influence of, on Hales, 401–402.
influence of, on Latitudinarians, 349.

James I's reaction to, 31–32.
suppression of, demanded in Holland, 323, 330, 331.

vide also Anglo-Catholicism.

Arminians—

condemnation of, by Synod of Dort, 339, 341–342.
on economics and toleration, 341, n. 4.
on predestination, 334, n. 1.
petitions of, against banishment, 341–342.

Remonstrance of, 333–334.
vide also Holland, Latitudinarianism.

Arminius, Jacobus, 330–331, 332.
career and thought of, 321–327.
conversion of, to liberal views, 322–323.
doctrinal position of, 325–327.
on fundamental unity, 327.
on persecution, 326–327.

Arundel, Earl of, 191.

Atkinson—

Erastianism of, 472–473.
on Puritanism, 472–473.
on Roman Catholic policy, 472–473.

Bacon, Sir Francis, 489.

distinction of, from rationalists, 459–460.

Erastianism of, 465–472.

ideal of comprehension of, 460–468.

objectivity of, 458 ff.

on clerical bigotry, 469–470.

on fundamentals of faith, 464–465.

on orthodox Anglican party, 462 ff.

on Puritanism, 460–464, 471.

on Roman Catholics, 466–468.

philosophical basis of religious thought of, 458–459.

scepticism of, 460 ff.

significance of thought of, 471–472.

thought of, 457–472.

unsystematic character of religious thought of, 457–458.

Bancroft, Richard, Archbishop of Canterbury, 78.

Baptists, the, 445.

anarchistic elements in thought of, 258.

arrest of group of, 267.

defection of Calvinistic Baptists from, 268.

definition of Church by, 259–260.

denial of power of magistrate in Church by, 260.

early development of church organization of, 262–268.

emphasis on Bible by, 261.

emphasis on freedom of will by, 261–262.

emphasis on right of private judgment by, 260.

flight of, to Holland, 267.

formation of church structure in England, 266–268.

general hatred of, 259.

influence of Arminianism on, 263.

influence of Calvinism on, 258.

INDEX

Baptists—*continued*.
 influence of Mennonite Baptists on, 262, 263, 264, 266, 267.
 influence of, on Congregationalism, 224.
 Laudian repression disorganizes, 267–268.
 recruited from Separatism, 262–263.
 thought of, 258–314.
 tolerance of, 259.
vide also Separatism.

Barrowism, *vide* Congregationalism.

Bastwick, John, 159.
 mutilation of, 160–161.

Baxter, Richard, 230.

Belgic Confession of 1562, 321.

Bellarmino, Cardinal, 494.
 controversy of, with James I, 79 ff.

Bernard, Richard—
 biographical note on, 37, n. 5.
 on fundamentals of faith, 37–38.

Blackwell, George, 77, 78, 79.
 denunciation of Gunpowder Plot by, 74.

Bradshaw, William—
 on liberty of conscience, 212–213.
 on power of magistrate in Church, 206.

Brent, Sir Nathaniel, 142, 157.

Brett, Arthur, 192.

Bristol, Earl of, *vide* Digby.

Brooke, Baron, *vide* Greville.

Browne, Sir Thomas—
 career of, 446–447.
 definition of Church by, 451–452.
 on clerical bigotry, 452.
 on fundamentals of faith, 449, 451.
 on liberty of conscience, 448 ff.
 on Roman Catholics, 450.
 rationalism of, 448–453.
 significance of thought of, 452–453.
 thought of, 446–453.
 toleration and charity of, 450–451.

Brownism, *vide* Congregationalism.

Buckingham, first Duke of (George Villiers), 103, 110, 112.
 scheme of, for Catholic subsidy, 176.

Burrage, Champlin, 227.

Burton, Henry, 159.
 hatred of Rome by, 253–254.
 mutilation of, 160–161.

Bury, John, on liberty of conscience, 154–155.

Busher, Leonard, 311.
 Baptist religious philosophy reflected in, 285.
 career of, 285, n. 1.
 on heresy and error, 287, 294–295.
 on persecution, 286–290.
 on power of magistrate in Church, 285 ff.
 programme of, for religious liberty, 291–295.
 significance of thought of, 296–298.
 thought of, 284–298.
 Utopian reflections of, 295–296.

Calderwood, David—
 on liberty of conscience, 213–214.
 on power of magistrate in Church, 207.

Calixtus, Georg, connection of, with Dury, 365.

Calvinism—
 conservatism of, 328.
 Erastus's criticism of, 454.
 Hales's reaction to, 401–402.
 maturity of, in Holland, 320–321, 324.
 of Congregationalism, 220.
 Robinson's thought dominated by, 225, 245.
 significance of weakening of doctrine of predestination in, 324–325.
 thought of, 199–206.
vide also Puritanism, Separatism.

Camden, William, 479.

Canne, John, 228.
 attitude of, towards Church of England, 251.
 definition of Church by, 252–253.
 secession of, from Congregationalism, 224–225.

Carleton, Sir Dudley, 401.
 explanation of Catholic policy by, 88–89.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Carrier, the Reverend Mr., rationalism of, 429.

Cary, Lucius, *vide* Falkland.

Castellion, Sébastien, 331.

Catholics, *vide* Roman Catholics, also Priests, Recusancy, Recusancy fines.

Cecil, Robert (first Earl of Salisbury and first Viscount Cranborne), 77.

analysis of Government's position on nonconformity by, 28-29.

analysis of Roman Catholic problem by, 66-68.

Erastianism of, 28.

Censorship of press, 161.

Certaine Advertisements, on heresy, 209.

Charles, Prince of Wales, 93, 103, 110.

bitterness of, towards Spain, 105-106.

yields to French demands, 112-113.

Charles I—

allies Government with extremism, 316.

favour of, to Anglo-Catholicism, 122-123.

Henrietta Maria's influence on, 194.

insulated against public opinion, 194.

on moderation of Oath of Allegiance, 194.

reported favourably disposed towards Catholics, 172-173.

yields to parliamentary demands concerning Catholics, 172-173.

vide also Government.

Charlton, Walter, 424.

Cheynell, Francis, 229.

Chillingworth, William, 400, 402, 403.

controversy of Matthew Wilson with, 380, n. 1.

dispassion and objectivity of, 387-388.

early religious experiences of, 377-378.

ideal of comprehension of, 379, 383 ff.

Chillingworth, William—*continued*. individualism of, 382, 389.

latitude and moderation of views of, 396 ff.

nature of thought of, 378-379.

on clerical bigotry, 379-382, 397.

on fundamentals of faith, 389 ff.

on persecution, 397-398.

on private judgment, 381-382, 384-385, 389-390.

on Roman Church, 380 ff.

on Socinianism, 384.

rationalism of, 385 ff.

significance of thought of, 398-400.

thought of, 377-400.

Church, the—

definition of, by—

Abbot, 144-145.

Apologie or Defence, 251-252.

Baptists, 259-260.

Browne, 451-452.

Canne, 252-253.

Falkland, 375-376.

Hales, 408-410.

Jacob, 233-235.

Laud, 132 ff.

moderate Anglican party, 143-145.

Puritans, 199-200.

Robinson, 243-245.

Separatists, 216, 217-218.

Smyth, 270-271.

Ussher, 143-144.

Church of England, the—

Anglo-Catholic party assumes leadership of, 115; a minority in, 117.

Canne's attitude towards, 251.

comprehensive ideal of dissipated, 316.

Congregationalists' attitude towards, 250-251.

Laud on, 136.

Murton's condemnation of, 305-306.

Prynne's attitude towards, 213, n. 2.

Puritanism's relation to, 201-202.

vide also Anglicanism, Anglo-Catholicism, Government.

INDEX

Cinque Ports, spread of heresies in, 52.

Clarendon, Earl of (Edward Hyde), 479-480.

Clerical bigotry—
 Bacon on, 469-470.
 Browne on, 452.
 Chillingworth on, 379-382, 397.
 Differences in matters of Religion on, 357.
 Dury on, 369.
 Falkland on, 373-375.
 Fiennes on, 490.
 Greville on, 444-446.
 Hales on, 405-407.
 Helwys on, 279-280.
 Herbert on, 440-441.
 How on, 257.
 Overbury on, 429.
 Selden on, 480 ff.
 Wither on, 414 ff.
 Wotton on, 363-364.

Coke, Sir Edward, 479.
 Erastianism of, 118-119.
 on Gunpowder Plot, 73.

Coke, Sir John, 180, 182.

Collection of Sundry Matters, on power of magistrate in Church, 249.

Commons, House of—
 Apology of, 1604, concerning the Church, 24-25.
 vide also Parliament.

Comprehension, ideal of, 316.
 Elizabethan, dissipated, 316.
 of Bacon, 460-468.
 of Chillingworth, 379, 383 ff.
 of Hales, 408-410.
 of Wither, 417 ff.
 vide also Fundamentals of faith, Latitudinarianism.

Congregationalism—
 and Church of England, 250-251.
 and religious toleration, 222.
 Brownist remnants in, 227.
 Calvinism of, 220.
 confusion of nomenclature concerning, 220.
 development of, in Holland and England, 223-231.
 early position of, 219.
 flight of leaders of, 229, 230-231.

Congregationalism—*continued*.
 “group-egoism” of, 221.
 hatred of Rome by, 253-254.
 influence of Arminianism on, 224.
 influence of Baptists on, 224.
 Jacob’s early leadership in, 225-227.
 limits of tolerance of, 253.
 Particular Baptists’ schism from, 228.
 relation of, to Puritanism, 220.
 Robinson’s church at Leyden, 225.
 secession of Canne from, 224-225.
 secession of Smyth from, 224.
 spread of, 228-229, 230.
 strength of, 1640, 230.
 survival of intolerance in, 222.
 thought of, 219-258.
 vide also Puritanism, Separatism.

Congregationalists—
 emigration of, to America, 227-228.
 emigration of, to Holland, 223-224.

Conn, George—
 efforts of, to modify Oath of Allegiance, 193.
 missionary activities of, 192-196.
 on Anglo-Catholicism, 192.
 papal agent in London, 192.

Contarini, Piero, Venetian ambassador, on Catholic situation, 92, 178, 180.

Convocation—
 of 1604, canons of, 25.
 of 1640, canons of, 168.

Conway, Edward, first Viscount, 172.
 on Spanish marriage treaty, 103.

Coornhert, D. V., advocacy of toleration by, 321.

Correr, Marc’ Antonio, Venetian ambassador, 85.
 on English religious crisis, 1637, 161-162.
 on Roman Catholic missionary activity, 190-191.
 on Roman Catholic situation, 1637, 196-197.

Cottington, Francis, 191.
 conversion of, 193.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Cotton, Sir Robert Bruce—
 Erastianism of, 475–479.
 moderation of, 475, 477–479.
 on public opinion, 477.
 on Roman Catholics, 475 ff.
 significance of thought of, 478–
 479.
 thought of, 475–479.
Court of High Commission, 139, 141.
Cranborne, *vide* Cecil.
Crew, Mr., M.P., on recusancy, 96.

Davenant, John, Bishop of Salisbury,
 130, n. 5, 193, 366.

Davies, Sir John—
 on immortality, 425.
 rationalism of, 425–428.
 thought of, 425–428.
 unorthodoxy of, 425–428.

Declaration of Indulgence, proposed
 for Roman Catholics, 1623, 105.

Dering, Sir Edward, 122.

D'Ewes, Sir Simonds, 158–159.

Dexter, H. M., 227, 228.

Differences in matters of Religion,
 356–358.
 on clerical bigotry, 357.
 on dogmatic zeal, 357–358.

Digby, John, first Earl of Bristol, 108

Dissenters, *vide* Baptists, Congregationalists, Sectarianism, Separatism.

*Dissertatio de pace et concordia
Ecclesiae*, 403, n. 1.
 pessimism of, 431.
 rationalism of, 431–432.
 thought of, 431–432.

Donne, John—
 on attainment of truth, 41–42.
 on fundamentals of faith, 40–41.
 on liberty of conscience, 41–43.
 on private judgment, 41–42.
 thought of, 39–43.

Dort, Synod of, 338–341.
 Hales at, 401–402.
 vide also Arminianism, Holland.

Downame, George, Bishop of Derry
 biographical note on, 152, n. 2.
 on heresy, 152.
 on liberty of conscience, 155.

Downing, Calybut, on power of
 magistrate in Church, 207.

Dunbar, Henry, Viscount, on anti-
 Catholic feeling, 95.

Dury, John, 347, 361.
 career of, 364–367.
 Erastianism of, 369–370.
 on clerical bigotry, 255–256, 369.
 on fundamentals of faith, 256–
 257, 367–370.
 relativism of thought of, 256.
 thought of, 367–370.

Dutch Church, London, 33.

Economics and toleration, 511.
 Arminians on, 341, n. 4.
 in Busher's thought, 295–296.

Effiat, Marquis de, 112.
 on French marriage treaty, 111.

Election, *vide* Predestination.

Eliot, Sir John, 121, 129, 172.
 attack of, on Anglo-Catholics,
 125–126.

Elizabeth, Princess, 352.

Elizabeth, Queen, Catholic policy
 in late years of, 54–56.

Episcopius, Simon, 225, 333, 455.
 and *Confessio, sive Declaratio*,
 342–344.
 general discussion of, 338–344.
 on fundamentals of faith, 339–340.
 on power of magistrate in Church,
 339.
 on private judgment, 340–341,
 343–344.
 on uniformity, 339.

Erastianism—
 and Whitgift, 454–455.
 Arminianism and, 455.
 development of, in England, 455–
 457.
 development of, in Holland,
 328 ff., 345–346, 445, 455.
 general discussion of, 453–491.
 growth of, in Parliament, 1628–
 1629, 121–129.
 nature of thought of, 319, 453–457.
 of Althusius, 329.
 of Atkinson, 472–473.
 of Bacon, 465–472.
 of Cecil, 28.
 of Coke, 118–119.
 of Cotton, 475–479.
 of Dury, 369–370.

INDEX

Erastianism—*continued*
 of Fiennes, 488–491.
 of Hales, 406.
 of Hayward, 473–475.
 of Jacob, 240.
 of Selden, 481–488.
 Puritan approach to, 209.
 relation of, to rationalism, 456.
 significance of English, 456–457.

Erastus, Thomas—
 career and thought of, 453–455.
 criticism of Calvinism by, 454.

Essential doctrines, *vide* Fundamentals of faith.

Establishment, *vide* Anglicanism, Church of England, Government.

Et cetera oath, 168.

Falkland, Viscount (Lucius Cary), 349, 379, 400, 403.
 definition of Church by, 375–376.
 on Anglo-Catholic party, 374–375.
 on clerical bigotry, 373–375.
 on intolerance of Roman Church, 372–373.
 on liberty of conscience, 371–372.
 on private judgment, 373.
 on spiritual coercion, 376.
 rationalism of, 372 ff.
 significance of thought of, 376–377.
 thought of, 371–377.

Fetherstonhalgh, Ralph, on dangers of Romanism, 62.

Fiennes, Nathaniel—
 Erastianism of, 488–491.
 on clerical bigotry, 490.
 on heresy and error, 489–491.
 thought of, 488–491.

Fitzherbert, Thomas—
 biographical note on, 495, n. 4.
 on ecclesiastical power, 495.

Fletcher, John, 424.

Floyd case, 97.

Foreign congregations in England—
 Laud's interference with, 141–142.
 number of, 142, n. 1.

Frederick III, Elector Palatine, 453.

Frederick V, Elector Palatine, 352.

French marriage treaty, 111–114.
 attacks on, 169 ff.

French marriage treaty—*continued*.
 Effiat on, 111.
 English Government's violation of, 172–173.
 Richelieu's demands concerning, 112.
 terms of, 112–113.
 text of, 113, n. 1.

Freund, Michael, 221.

Fuller, Thomas, 358, 424, 485.
 on heresy, 150–151.
 on liberty of conscience, 154.
 on punishment of heresy by death, 51.

Fundamentals of faith, 38.
 Abbot on, 36–37.
 Andrewes on, 148.
 Arminius on, 327.
 Bacon on, 464–465.
 Bernard on, 37–38.
 Browne on, 449, 451.
 Chillingworth on, 389 ff.
 Donne on, 40–41.
 Dury on, 256–257, 367–370.
 Episcopius on, 339–340.
 Grotius on, 346, 348.
 Hales on, 407 ff.
 Hall on, 147–150.
 Hammond on, 150, n. 2.
 Herbert on, 441–444.
 moderate Anglican party on, 147–150.
 Scott on, 362.
 Ussher on, 147–148, 365, n. 5.
 Wither on, 417–418.
 Wotton on, 363–364.
vide also Comprehension, Latitudinarianism.

Gardiner, S. R., 97, 123, 127, 159, 371.

Giustinian, Zorzi, Venetian ambassador on Catholic problem, 1607, 84.

Gomarus, Franz, 325, 330.

Gondomar, Count of, Spanish ambassador, 94, 98, 99.
 assault on retinue of, 96–97.

Goodman, Godfrey, Bishop of Gloucester, conversion of, 193.

Government, the English, 28–29, 76, 77.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Government—*continued.*

alliance of, with extremism under Charles I, 316.
attempt of, to enforce conformity, 26–27.
determination of, to eradicate Puritanism, 21–22.
determination of, to exterminate political group, 74–75.
endangered by Catholic policy, 198.
instructions of, to clergy, 1622, 100.
negotiations of, for Catholic subsidy, 1627, 176, 178.
orders enforcement of penal laws, 1627, 177; 1640, 198.
orders relaxation of penal laws, 1603, 59; 1623, 99–102; 1625–1626, 113, 171–172; 1629–1640, 182 ff.
orders relaxation of recusancy fines, 65, 185–186.
proclamation of, against religious disputes, 120–121.
restrictions of, on Puritan emigration, 163.
Roman Catholic policy of, 1602–1603, 54–56; 1603–1625, 54–114; 1625–1640, 169–198.
Roman missionary activity in, 190–191.
traditional nature of policy towards Puritans, 27–29.
vide also Anglicanism, Charles I, Church of England, James I, Privy Council, Proclamation.

Greville, Robert, Baron Brooke—
on clerical bigotry, 444–446.
on heresy and error, 445–446.
Platonism of, 444.
rationalism of, 444–446.
thought of, 444–446.

Grotius, Hugo, 330, 339, 367, 455.
and the Roman Catholic Church, 348, n. 1.
individualism of, 346.
on fundamentals of faith, 346, 348.
rationalism of, 346–347.
thought of, 344–349.

Gunpowder Plot, 74.
Coke on, 73.
influence of, on Catholic policy, 72–74.
Gyles, Sir Edward, on recusancy, 95.

Hales, John, 431, 479.
career of, 400–402.
definition of Church by, 408–410.
Erasianism of, 406.
ideal of comprehension of, 408–410.
influence of Arminianism on, 401–402.
on clerical bigotry, 405–407.
on fundamentals of faith, 407 ff.
on heresy and error, 410–411.
on persecution, 410–412.
on private judgment, 403–407.
on Roman Catholic Church, 408.
on Socinianism, 408–409.
rationalism of, 403 ff.
significance of thought of, 412.
thought of, 400–412.

Hall, Joseph, Bishop of Norwich, 130, n. 5, 193.
biographical note on, 146, n. 3.
Dury supported by, 365, 366.
on fundamentals of faith, 147–150.
on heresy and error, 151–154.
on power of magistrate in Church, 146.
thought of, 146–154.

Hallam, Henry, 379.

Hammond, Henry—
on fundamentals of faith, 150, n. 2.
on liberty of conscience, 156.

Hampton Court Conference, 18–20.
failure of, 20.

Harington, Sir John, scepticism of, 428.

Hastings, Sir Francis—
on recusancy, 86.
Puritan proposals of, 24.

Hayward, Sir John—
biographical note on, 473, n. 2.
Erasianism of, 473–475.
scepticism of, 474.
thought of, 473–475.

Hazeltine, H. D., 482.

INDEX

Heath, Sir Robert, warning of, to Anglo-Catholics, 124.
 Heidelberg, 453, 454.
 Helwys, Thomas, 264, 311.
 career of, in Holland and England, 264-266, 274, n. 1.
 denunciation of spiritual arrogance by, 279-280.
 literary style of, 284.
 on freedom of will, 280.
 on heresy and error, 280-281.
 on liberty of conscience, 281-282.
 on persecution, 277-278, 279.
 on power of magistrate in Church, 274-277.
 on private judgment, 278-279.
 on Roman Catholics, 282-283.
 significance of thought of, 274, 283-284.
 thought of, 274-284.
 Henrietta Maria, Queen, 111, 171, 177, 183, 191.
 protection of Panzani by, 188.
 Henry IV (France), assassination of, 85.
 Herbert, Edward, first Baron Herbert of Cherbury, 191.
 materialism of, 436-437.
 on clerical bigotry, 440-441.
 on fundamentals of faith, 441-444.
 on private judgment, 439-440.
 on revelation, 440-441.
 philosophical thought of, 437-438.
 rationalism of, 438-444.
 significance of thought of, 436, 443-444.
 theory of natural religion of, 437-439.
 thought of, 435-444.
Heresy and error—
 Anglican view of, 35-36;
 moderate Anglican view of, 150-153.
 English reaction to punishment of, by death, 50-51.
 executions for, in England, 1534-1625, 43, n. 1.
 Fuller's reaction to punishment of, by death, 51.
 James I's attitude towards, 31-33.
 Legate case, 44-47.
 Puritan view of, 208-211, 215.

Heresy and error—continued.
 Sayer case, 35-36.
 spread of, in Sandwich and the Cinque Ports, 51-52.
 Trendall case, 164-165.
 Wightman case, 47-51.
 Ames on, 210.
 Busher on, 287, 294, 295.
Certaine Advertisements on, 209.
 Downname on, 152.
 Fiennes on, 489-491.
 Fuller on, 150-151.
 Greville on, 445-446.
 Hales on, 410-411.
 Hall on, 151-154.
 Helwys on, 280-281.
 Laud on, 133-134.
 Murton on, 305, 311-312.
 Prynne on, 210-211.
 Quarles on, 356.
 Sibbes on, 359-360.
 Smyth on, 272-274.
 Stoughton on, 209-210.
Herrick, Robert—
 materialism of, 433-435.
 on predestination, 434-435.
 paganism of, 432-434.
 rationalism of, 434-435.
 thought of, 432-435.
Heylyn, Peter, 229-230.
Hobbes, Thomas, 453, 479.
Holland—
 bitter theological warfare in, 337-338.
 Calvinism in, 320-321, 324.
 development of Erastianism in, 328 ff., 345-346, 445, 455.
 flight of Baptists to, 267.
 fusion of sects in, 321.
 important sectarian development in, 321.
 influence of thought of, on England, 319-320.
Vorstian controversy weakens
 Erastianism in, 334 ff.
vide also Arminianism, Holland,
 Established Church of.
Holland, Established Church of—
 accusations of, against Vorstius, 335-338.
 demands suppression of Arminian views, 323, 330, 331.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Holland, Established Church of—
continued.
foundation of, 320.
freedom for Arminianism in, 348—
349.
harshness of, to sects, 320—321.
nationalistic temper of, 328.
revolt of sects from, 321.
Holles, Denzil, 129.
Hooker, Richard, 410, 424, 455.
Horsey, Sir Jerome, on recusancy, 95.
How, Samuel—
biographical note on, 257, n. 2.
denunciation of bigotry by, 257.
on private judgment, 257—258.
Howard, Lord William, 91.
Hutton, Matthew, Archbishop of York, repressive policy feared by, 21—22.

Independency, vide Congregationalism.

Jackson, Thomas—
biographical note on, 156, n. 1.
on liberty of conscience, 156.

Jacob, Henry, 220.
definition of Church by, 233—235.
early career of, 225—227.
Erastianism of, 240.
Erastian proposal of, 236—237.
founds Congregational church in England, 226—227.
on liberty of conscience, 235 ff.
on power of magistrate in Church, 231—233.
on uniformity, 241.
thought of, 231—242.

James I, 17, 74, 291, 292, 320, 345, 468.
and French marriage treaty, 111—
113.
and Thirty Years' War, 93.
animosity of, towards Puritanism, 19—20.
attitude of, towards persecution, heresy, and liberty of conscience, 29—33.
Catholic policy of, weakened by Gunpowder Plot, 72—74.
collapse of Catholic policy of, 1624, 108—110.

James I—*continued.*
connection of, with Legate and Wightman cases, 44—50.
controversy of, with Bellarmine, 79 ff.
defence of Oath of Allegiance by, 80 ff.
defence of Roman Catholic policy by, 96.
disturbed by Catholic zeal, 63.
early views of, on Roman Catholics, 56—57.
English doubts of orthodoxy of, 53, 65—66.
English misunderstanding of, 17—18.
harassed by Roman Catholic policy, 70.
in Parliament, on Catholic policy, 1614, 89—90; 1624, 108—110.
intervention of, in Vorstian controversy, 335—336.
misjudgment of dissent by, 52—53.
misunderstanding of Puritanism by, 20.
orders execution of penal laws, 1605, 66.
orders of, to clergy, 52.
receives Millenary Petition, 18.
restrains execution of penal laws, 78.
speech of, concerning Puritans, 1604, 22—23.
tolerant sentiments of, on Catholics, 59—61.
Jegon, John, Bishop of Norwich, 26.
on heresy, 35.
Jessey, Henry, 228.
Jessop, Edmund, 44.
Jesuits, 77, 78, 84, 87, 99, 187, 189, 195, 475, 476, 492, 505, 506, 509, 520.
vide also Roman Catholics.
Johnson, Francis, 223, 224, 263.
Jones, John, *vide Dom Leander.*
Jonson, Ben, 479.
Junius, Francis, correspondence of, with Arminius, 323.
Kellison, Matthew, 502.
biographical note on, 495, n. 1.
on ecclesiastical power, 495—496.

INDEX

Knott, Edward, *vide* Matthew Wilson.

Lando, Girolamo, Venetian ambassador, analysis of English Catholic policy by, 101-102.

Latitudinarianism, 423.
attractions of, for Moderates, 349-350.
humanistic tradition in, 350.
influence of Arminianism on, 349.
lack of cohesion in, 318.
nature of, 318, 349-351.
objectivity of, 351.
thought of, 349-421.
weakness of, in crises, 318.
vide also Moderates.

Laud, William, Archbishop of Canterbury, 119, 122, 123, 187, 199, 229, 253, 356, 403.
and merchant congregations abroad, 141.
attacks of Puritan libellists on, 159-161.
connection of, with Wightman case, 48.
Correr's criticism of, 161-162.
definition of Church by, 132 ff.
denunciation of Catholic zeal by, 195-196.
determination of, to suppress Puritanism, 138-142.
elevation of, to Canterbury, 140.
foreign congregations in England restrained by, 141-142.
hostility of, to Panzani, 190.
insensitivity of, to public opinion, 160-161.
insularity of, 130-131.
instructions of, to clergy, 138.
metropolitical visitation of, 157.
moderate nature of theory of, 135-137.
on Church of England, 136.
on heresy and error, 133-134.
on Roman Catholic Church, 134-137.
on uniformity, 131-133.
policy of, 129-130, 137 ff.
protests to king on Roman Catholic liberty, 193-194.

Laud, William, Archbishop of Canterbury—*continued*.
public opinion alienated by, 157-159.
punishment of Leighton by, 138-139.
Puritanism restricted by, 141.
Roe's comment on policy of, 160.
struggle of, with Puritanism and Separatism, 157-165.
thought of, 131-137.

Laymen—
distrust of clergy amongst, 317.
religious extremism arouses fears of, 317.

Lay thought—
classifications of, 318-319.
literary style of, 317.
moderate temper of, 317.
nature of, 315-319.
vide also Erastianism, Latitudinarianism, Moderates, Rationalism.

Leander, Dom (John Jones)—
hope of, in Anglo-Catholicism, 187-188.
mission of, to England, 187-188.
on Oath of Allegiance, 187.
report of, on priests in England, 189.

Lecky, W. E. H., 222, 422.

Legate, Bartholomew, 153, n. 4, 431.
heresies and execution of, 44-47.

Leighton, Alexander, punishment of, 138-139.

Leslie, Henry, biographical note on, 36, n. 5.

Liberty of conscience—
Adams on, 155.
Ames on, 211.
Apologie or Defence on, 254-255.
Bradshaw on, 212-213.
Browne on, 448 ff.
Bury on, 154-155.
Busher's programme for, 291-295.
Calderwood on, 213-214.
Donne on, 41-43.
Downame on, 155.
Falkland on, 371-372.
Fuller on, 154.
Hammond on, 156.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Liberty of Conscience—*continued.*
Helwys on, 281–282.
Jackson on, 156.
Jacob on, 235 ff.
James I's view of, 30.
moderate Anglican view of, 154–156.
Murton on, 307–311.
Palmer on, 351.
Puritan view of, 211–214.
Randall on, 154.
Robinson on, 246–247.
Smyth on, 271–272.
True, Modest, and Just Defence on, 212.
Weemse on, 211.
Williams on, 155.
vide also Fundamentals of faith,
Heresy, Persecution, Spiritual
coercion.
Light for the Ignorant on Church of
England, 251.
Lingard, John, 335.
Lothrop, John, career of, 227–228.

Magistrate, power of, in the
Church—
Abbot on, 146
Anglican view of, 34–35.
Apologie or Defence on, 248–249.
Baptist denial of, 260.
Bradshaw on, 206.
Busher on, 285 ff.
Calderwood on, 207.
Collection of Sundry Matters on,
249.
Downing on, 207.
Episcopius on, 339.
Hall on, 146.
Helwys on, 274–277.
Jacob on, 231–233.
moderate Anglican view of, 145–147.
Murton on, 299–301.
Puritan view of, 206–208, 214–215.
Pym on, 207–208.
Robinson on, 242–243.
Smyth on, 269–270.
Stoughton on, 207.
Manwaring, Roger, 121–122, 123.
Mathew, Toby, negotiations of, with
Catholics, 178–179.

Maurice of Nassau, 328, 341, 342,
345, 348.
Merchant congregations abroad,
Laud's interference with, 141.
Merideth, John, on Roman Catho-
lics, 38, n. 4.
Millenary Petition, 18.
Moderates—
lack of cohesion amongst, 318.
nature of thought of, 318.
weakness of, in crises, 318.
vide also Latitudinarianism.
Molin, Venetian ambassador, 74.
on English religious situation,
1605, 26–27.
on English Roman Catholic
policy, 68–69.
Montagu, Lord (Anthony Browne)—
defence of Romanism by, 64.
imprisonment of, 64.
Montague, Richard, Bishop of
Chichester, 117, 118, 120, 123,
124, 127.
biographical note on, 118, n. 1.
favourable to Rome, 193.
hostility of Parliament to, 119.
Morton, Thomas, Bishop of Dur-
ham, 130, n. 5, 193.
Morton, Thomas, of Christ College,
Cambridge, on Roman Catho-
lics, 38, n. 4.
Murton, John, 264, 265.
anti-rational and mystical ele-
ments in thought of, 303–304.
career of, 266–267, 298, n. 3.
condemnation of Church of Eng-
land by, 305–306.
on heresy and error, 305, 311–312.
on liberty of conscience, 307–311.
on persecution, 301–302, 304,
306–307, 311, 313.
on power of magistrate in Church,
299–301.
on predestination, 305.
on private judgment, 303.
on uniformity, 308–311.
significance of thought of, 313–
314.
thought of, 298–314.

Neile, Richard, Archbishop of York,
122, 123, 127, 128.

INDEX

Neile, Richard, Archbishop of York
—*continued*.
and Trendall case, 164–165.
and Wightman case, 48–50, 164–165.
Nethersole, Sir Francis, 124.
Neville, Sir Henry, on Roman Catholics, 69.
Newington Woods, Separatists in, 139, 229.
Newport, Earl of, 195.
Nonconformity—
 Anglican position on, 36–37.
 vide also Arminianism, Calvinism, Puritanism, Recusancy, Roman Catholics, Separatism.
Northamptonshire, Puritan petition of knights of, 26.

Oath of Allegiance, 74–76, 85, n. 5, 175, 497.
 Charles I's views on, 194.
 Conn's efforts to modify, 193.
 controversy over, 76 ff.
 effect of, on Roman Catholic thought, 492–493.
 Elizabethan precedents for, 54–56.
 Fr. Leander's views on, 187.
 James I's defence of, 80 ff.
 Paul V's condemnation of, 78.
 Privy Council on, 83.
 Urban VIII's refusal to compromise on, 191.
 vide also Government, Roman Catholics.
Oldenbarneveldt, Johan van, 334, 344, 345.
and Vorstian controversy, 336–338.
 federalism and tolerance of, 328.
Overbury, Sir Thomas—
 on clerical bigotry, 429.
 rationalism of, 429–430.
 thought of, 429–430.

Palmer, Thomas—
 on liberty of conscience, 351.
 thought of, 351.
Panzani, Gregorio—
 hope of reunion of, 188.
 Laud's hostility to, 190.
 missionary activities of, 189–191.
 mission of, to England, 188–192.

Parliament—
 attacks of, on Anglo-Catholicism, 117–121; 1626, 120–121; 1628, 121 ff.; 1629, 128–129; 1640, 165–169.
attitude of, towards Protestant nonconformity, 22–26.
complaint of, against release of priests, 172.
criticism of James I's Catholic policy by, 108–110.
Erastian resolution of, 126–127.
growing Erastianism of, 1628–1629, 121–129.
Gunpowder Plot and, 72–74.
hostility of, towards Romanists, 1609–1610, 84–86; 1621–1622, 92–98; 1625, 169–171; 1628–1629, 179–182.
identifies Anglo-Catholicism with Romanism, 124 ff.
investigation of Catholic activity by, 174–175.
James I in, 89–90, 94–95, 108–109.
legislation against Catholics, 1604, 64–65.
opposition of, to Spanish marriage treaty, 92–98.
petition of, against recusancy, 1621, 96, 98; 1624, 109–110.
resolutions of, against Anglo-Catholicism, 1629, 128–129.
votes punishment of Montague, 119.
vide also Government.
Parsons, Robert, 494, 500–505.
 on anarchy of Protestantism, 497.
 on civil obedience, 496–497.
 on equivocation, 496–497.
 on spiritual coercion, 499–500.
 politique arguments of, for toleration in England, 500–505.
Paul V, Pope—
 disturbed by English policy, 87.
 Oath of Allegiance condemned by, 78.
 pontificate of, 493.
Paul, Sir George, 174.
Paul, Herbert, 841.
Penal laws, *vide* Recusancy, Recusancy fines.
Perrot, Sir James, on recusancy, 95.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Persecution—

Arminius on, 326–327.
Busher on, 286–290.
Chillingworth on, 397–398.
Hales on, 410–412.
Helwys on, 277–278, 279.
James I's view of, 30–31.
Murton on, 301–302, 304, 306–307, 311, 313.
Puritan view of, 204.
Quarles on, 355–356.
Smyth on, 271–272.
spiritual Catholic group's view of, 510 ff.
vide also Clerical bigotry, Spiritual coercion.

Phelips, Sir Robert, 119.

Porter, Endymion, 432.

Predestination, doctrine of—

Anglo-Catholic disavowal of, 158, n. 1.
Arminian view of, 334, n. 1.
Herrick on, 434–435.
importance of, in Puritanism, 202–204.
influence of, on Robinson, 243.
Murton on, 305.
significance of weakening of, in Calvinism, 324–325.
vide also Calvinism.

Presbyterianism, *vide* Calvinism, Puritanism.

Previté-Orton, C. W., 413.

Priests—

activity of, 171.
arrest of, 1626, 174.
execution of, 65, 87, 89, n. 2, 185.
greater freedom of, 91–92; 1623, 99–100.
increase of, 182–183.
investigation of, by Parliament, 174–175.
number of, in England, 189.
proclamations against, 63, 77, 181.
vide also Jesuits, Roman Catholics.

Private judgment, doctrine of—

Baptist view of, 260.
Chillingworth on, 381–382, 384–385, 389–390.
Donne on, 41–42.
Episcopius on, 340–341, 343–344.
Falkland on, 373.

Private judgment, doctrine of—*cont.*

Hales on, 403–407.
Helwys on, 278–279.
Herbert on, 439–440.
How on, 257–258.
Murton on, 303.
Separatist emphasis on, 217.
Wither on, 419–420.

Privy Council—
and Spanish marriage treaty, 103–104.
assurances of, to Parliament, 170.
complaints to, against Panzani, 188.
disturbed by anti-Roman sentiment, 171.
fears of, 197.
handling of Trendall case by, 163–165.
opposition in, to Anglo-Catholicism, 124.
seeks to restrain heresies, 51–52.
weakness of, 101.
vide also Government.

Proclamation—

against Jesuits and seminary priests, 77.
against religious disputes, 120–121.
against Roman Catholic priests, 63.
against Roman Catholics, 181, 197–198.
vide also Government, Parliament.

Prynne, William, 159.

attitude of, towards Church of England, 213, n. 2.
mutilation of, 160–161.
on heresy, 210–211.

Przypkowski, Samuel, 403, n. 1, 431.

Public opinion, English, 88.
alienated by Laud's policy, 157–159, 160–161.
anti-Catholic riots, 183–184, 198.
anti-Roman temper of, 1625, 171; 1630, 182–184.

Cotton on, 477.
critical reaction of, to Catholic toleration, 1621, 96–98.

doubts James I's orthodoxy, 53, 65–66.

effect of Catholic conversions on, 193.

INDEX

Public opinion,—*continued.*

exercised by rumours, 95.
explosive state of, 1640, 165–166.
fear of Roman Catholics, 70–71.
hostility of, towards Anglo-Catholicism, 120–121, 197.
hostility of, towards Catholics, 61–66, 69–72.
hostility of, towards leniency to Catholics, 1621–1622, 92–98.
hostility of, towards Spanish marriage treaty, 1621–1622, 92–98; 1623, 106–107.
insulation of king against, 194.
on punishment of heresy by death, 50–51.
outraged by Henrietta Maria, 177.
reaction of, to relaxation of penal laws, 1623, 100.

Puritanism—

and persecution, 204.
and the Catholics, 209.
Anglican view of, 21.
apparent unity of, 199.
approach of, to Erastianism, 209.
aristocratic character of, 203–204.
Atkinson on, 472–473.
Bacon's criticism of, 460–464, 471.
becomes sterner under James I, 53–54.
becomes symbol of Protestantism, 52–54.
bitterness of, towards Romanism, 1623, 100, 195–198.
Calvinistic nature of, 199.
definition of Church by, 199–200.
demands of, 201.
detestation of Anglo-Catholicism by, 123.
disintegration of, 205–206.
dispersion of, 199.
doctrinal identity of, with Anglicanism in 1605, 29.
effort of Government to repress, 21–22, 26–27.
growing extremism of, 143.
growing strength of, 162.
hardening of, 201.
importance of doctrine of predestination to, 202–204.

Puritanism—*continued.*

inflexibility of, 214.
James I's views of, 22–23.
Laud's determination to suppress, 138–142.
Laud's struggle with, 157–165.
moderate views of, 1604, 20.
origins of, 200–201.
position of, on heresy and error, 208–211, 215.
position of, on liberty of conscience, 211–214.
position of, on power of magistrate in Church, 206–208, 214–215.
position of, on toleration, 206–214.
psychology of, 203–204.
Puritan clergy required to conform, 25–26.
relation of Congregationalism to, 220.
relation of, to Church of England, 201–202.
relation of, to Separatism, 201 ff.
restrictions imposed on, 141.
strength of, within Church of England, 18.
struggle of, with Anglo-Catholicism, 201–202.
thought of, 199–215.
vide also Calvinism, Congregationalism.

Puritans, the, 26–27, 27–28.
emigration of, 162–163.
encouragement of, by James's early views, 17–18, 32–33.
Pym, John, 121–122, 128, 170.
attack of, on Anglo-Catholics, 125.
attack of, on Anglo-Catholics and Catholics, 167.
on power of magistrate in Church, 207–208.
on Roman Catholic problem, 97–98.

Quarles, Francis—

on heresy and error, 356.
on persecution, 355–356.
pessimism and scepticism of, 353, 354–355.
rationalism of, 353–354, 356.
thought of, 352–356.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Randall, John—
biographical note on, 154, n. 2.
on liberty of conscience, 154.

Ranke, L. v., 336.

Rationalism—
and the Renaissance, 422.
aristocratic character of, 423.
critical temper of, 422.
general discussion of, 421–453.
indifference and, 424.
individualism of, 430.
nature of, 318–319, 421–453.
objectivity of, 423.
of Browne, 448–453.
of Carrier, 429.
of Chillingworth, 385 ff.
of Davies, 425–428.
of *Dissertatio de pace et concordia Ecclesiae*, 431–432.
of Falkland, 372 ff.
of Greville, 444–446.
of Grotius, 346–347.
of Hales, 430 ff.
of Harington, 428.
of Herbert, 438–444.
of Herrick, 434–435.
of Overbury, 429–430.
of Quarles, 353–354.
of Selden, 482 ff.
of Vaughan, 352.
of Wither, 417 ff.
relation of, to Erastianism, 456.
roots of, 423–424.
secular nature of, 423.
seventeenth-century meaning of, 421–424.

Recusancy—
Crew on, 96.
Gyles on, 95.
Hastings on, 86.
Horsey on, 95.
increase of, 91, 180.
in high places, 175.
leniency towards, 99–100, 184–186.
Parliament's petition against, 1624, 109–110.
Perrot on, 95.
petition against, 1621, 98.
vide also Roman Catholics.

Recusancy fines, 185, n. 5, 186, n. 1.
James I's intentions to remit, 61.

Recusancy fines—*continued*.
suspension of, 65, 185–186.
vide also Roman Catholics.

Remonstrants, *vide* Arminians.

Renaissance, the, and rationalism, 422.

Reynolds, Edward, at Hampton Court Conference, 18–19.

Richelieu, Cardinal, demands of, 112.

Robinson, John—
Calvinism of, 225, 245.
condemnation of religious dissension by, 245–246.
definition of Church by, 243–245.
early career of, 225.
influence of doctrine of predestination on, 243.
objectivity of thought of, 247.
on liberty of conscience, 246–247.
on power of magistrate in Church, 242–243.
on spiritual coercion, 243.
thought of, 242–247.

Roe, Sir Thomas—
Dury supported by, 364–365.
on Laudian extremism, 160.

Roman Catholic Church—
Abbot on, 38, n. 4.
Burton on, 253–254.
Chillingworth on, 380 ff.
Congregational hatred of, 253–254.
Falkland on, 372–373.
Grotius on, 348, n. 1.
Hales on, 408.
Laud on, 134–136.
Merideth on, 38, n. 4.
Morton on, 38, n. 4.

Roman Catholicism—
alliance of, with Crown, 493.
conversions to, in high circles, 193–195.
divisions in thought of, 492–493.
effect of Oath of Allegiance on thought of, 492–493.
nature of thought of, 492–494.
thought of, in England, 492–521.
weakness of thought of, 492.

Roman Catholics, the—
alarm of, 1624, 110.
Atkinson on, 472–473.

INDEX

Roman Catholics, the—*continued*.
 Bacon on, 466–468.
 Browne on, 450.
 Carleton on, 88–89.
 Cecil on, 66–68.
 Charles I reported favourably disposed to, 172–173, 181.
 Correr on, 1637, 196–197.
 Cotton on, 475 ff.
 disabilities of, 1603, 57–59.
 discouragement of, 1626, 173–174.
 education of children of, 180.
 emigration of, 494.
 enforcement of laws against, 1609–1611, 83–86; 1605, 66; 1627, 177; 1640, 198.
 English fear of, 70–71.
 excessive zeal of, 62–63.
 excite popular hostility, 1630, 182–184.
 executions of, 89, n. 2.
 feud of political and spiritual groups weakens, 186–188.
 freedom of, 194.
 governmental policy towards, 1603–1625, 54–114; 1625–1640, 169–198.
 Gunpowder Plot and, 72–74.
 Helwys on, 282–283.
 hostility of public opinion towards, 61–66, 69–72, 95, 120–121, 197.
 James I's defence of his policy towards, 96.
 James I's views on, 22–23, 56–57.
 Lando on, 101–102.
 late Elizabethan policy towards, 54–56.
 legislation against, 64–65; 1606, 73–74.
 liberty of, protested by Laud, 193.
 missionary zeal of, 171, 189–191.
 Molin on, 68–69.
 Neville on, 69.
 number of, in England, 58, n. 1.
 parliamentary attitude towards and attacks on, 1609–1610, 84–86; 1621, 95–98; 1625, 169–171; 1628–1629, 179–182.
 petition of, 59–61.
 plan for purchasing toleration for, 87–88.

Roman Catholics, the—*continued*.
 political group—
 denunciation of James I's policy by, 57.
 Government's determination to exterminate, 74–75.
 thought of, 494–505.
 on anarchy of Protestantism, 497–499.
 Parsons on, 497.
 Walsingham on, 498.
 Wilson on, 499.
 on civil obedience, 496–497.
 Parsons on, 496–497.
 on the ecclesiastical power, 495–496.
 Fitzherbert on, 495.
 Kellison on, 495–496.
 on equivocation, 496–497.
 Parsons on, 496–497.
 orthodoxy of, 498–499.
 proposed Declaration of Indulgence for, 1623, 105.
 proposed subsidy by, 176, 178–179.
 Puritan bitterness towards, 1623, 100.
 Pym's attacks on, 97–98, 167.
 relaxation of penal laws against, 1603, 59; 1623, 99–102; 1625, 113, 171–172; 1629–1640, 182 ff.
 renewed repression of, 172–173.
 riots against, 183–184, 198.
 Spanish marriage treaty and, 90 ff.
 spiritual group—
 acceptance of sectarian status by, 505 ff.
 civil loyalty of, 506–512.
 Warmington on, 507–508.
 denunciation of persecution by, 510 ff.
 denunciation of political group by, 508–511.
 embrace principle of toleration, 506, 516–521.
 governmental policy towards, 1603–1625, 54–66.
 petition of, 186.
politique arguments of, for toleration, 512–515, 518.
 thought of, 505–521.
 support of Crown by, 93–94.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Roman Catholics, the—*continued*.
toleration for delayed by Spanish marriage treaty, 97.
Valaresco on, 99.
weakness of, 1600, 58–59.
vide also Jesuits, Recusancy, Spanish marriage treaty.

Rous, Francis—
biographical note on, 167, n. 3.
on Anglo-Catholicism, 125, 167.

Rudd, Anthony, Bishop of St. David's, opposition of, to policy of repression, 25–26.

Rudyerd, Sir Benjamin—
biographical note on, 166, n. 1.
on Anglo-Catholicism, 166.

Rupert, Prince, 190.

Salisbury, *vide* Cecil.

Sandwich, spread of heresies in, 51.

Sandys, Sir Edwin, 170.

Sayer, William, heresies of, 35–36.

Sceptics, *vide* Rationalists.

Scot, Patrick, biographical note on, 37, n. 1.

Scott, Thomas—
biographical note on, 361, n. 3.
charity and moderation of, 363.
on coercion, 362–363.
on fundamentals of faith, 362.
thought of, 361–363.

Sectarianism—
rapid spread of, 205–206.
vide also Baptists, Congregationalism, Separatism.

Selden, John, 128, 440.
career of, 479–480.
Erasianism of, 481–488.
objectivity of, 481–483.
on clerical bigotry, 480 ff.
rationalism of, 482 ff.
scepticism of, 483–488.
significance of thought of, 487–8.
temper of mind of, 482–483.
thought of, 479–488.

Separatism—
attitude of, towards Rome, 216.
doctrinal indifference of, 218.
Elizabethan policy postpones development of, 216.
emphasis of, on priesthood of Christian man, 217.

Separatism—*continued*.
emphasis of, on religious experience, 218.
emphasis of, on right of private judgment, 217.
exclusive character of, 216.
Laud's struggle with, 157–165.
rapid spread of, 163–164.
relation of Puritanism to, 201 ff.
relation of, to religious toleration, 216–219, 315–316.
thought of, 216–314.
view of the Church, 216, 217–218.
vide also Baptists, Congregationalism, Sectarianism.

Sheffield, Lord, on dangers of Romanism, 62.

Shirfield, Henry, 127.

Sibbes, Richard—
Calvinism of, 359.
charity and moderation of, 359–360.
on coercion, 360–361.
on heresy and error, 359–360.
thought of, 358–361.

Smith, William, Bishop of Chalcedon, 186.

Smyth, John, 242, 267.
career of, 263–264.
definition of Church by, 270–271.
on heresy and error, 272–274.
on liberty of conscience, 271–272.
on persecution, 271–272.
on power of magistrate in Church, 269–270.
organic quality of mind of, 268.
secession of, from Congregationalism, 224.
thought of, 268–274.

Snowden, Robert, Bishop of Carlisle, on recusancy in Cumberland, 91.

Socinianism, 403, 445, 489.

Chillingworth on, 384.
Hales on, 403, 408–409.
roots of, in England, 430–431.
Vorstius charged with, 335.

Spanish marriage treaty—
and Catholic policy, 90 ff.
collapse of, 108–110.
Conway on, 103.
crystallization of terms of, 103.

INDEX

Spanish marriage treaty—*continued*.
 delays Catholic toleration, 97.
 early negotiations for, 94.
 opposition of Valaresso to, 107–108.
 opposition of Williams to, 106.
 Spanish pressure for Catholic toleration, 104–105.
 terms of, 103–104.
 Spilsbury, John, 268.
 Spiritual coercion—
 Falkland on, 376.
 Parsons on, 499–500.
 Robinson on, 243.
 Scott on, 362–363.
 Sibbes on, 360–361.
 Wither on, 415–416, 418.
 vide also Clerical bigotry, Liberty of conscience, Persecution.
 Stonor, 184.
 Stoughton, William—
 on heresy, 209–210.
 on power of magistrate in Church, 207.
 Stuarts, unfortunate mentality of, 316.
 Tanner, J. R., 25.
 Thirty Years' War, 361.
 and James I's policy, 93, 110.
 Toleration—
 fear and, 71.
 vide also Fundamentals of faith, Heresy, Liberty of conscience, Spiritual coercion, and individual authors.
 Tooke, Elias, 266.
 Trendall, John, accusation of heresy against, 164–165.
 Troeltsch, Ernst, 200.
True, Modest, and Just Defence, on liberty of conscience, 212.
 Truth, attainment of, Donne on, 41–42.
 Tulloch, John, 222, 322, 364, 371, 378, 402, 485.
 Uniformity—
 Episcopius on, 339.
 Jacob on, 241.
 Laud on, 131–133.
 Murton on, 308–311.
 Uniformity—*continued*.
 weakening of theory of, 27–28.
 vide also Anglicanism, Church of England, Government.
 Unitarians, *vide* Socinians.
 United Provinces, *vide* Holland.
 Urban VIII, Pope, 187.
 pontificate of, 493–494.
 refuses compromise on Oath of Allegiance, 191.
 Ussher, James, Archbishop of Armagh, 359, 479.
 definition of Church by, 143–144.
 influence of, on Quarles, 352.
 on fundamentals of faith, 147–148, 365, n. 5.
 Utrecht, Treaty of, 320.
 Uttenbogaert, Jan, 322, 325, 334, 342.
 Erastian federalism of, 333.
 pastorate of, in Utrecht, 333, n. 1.
 views of, before States General, 331–332.
 Valaresso, Alvise, 101, 109.
 criticism of royal policy by, 99.
 criticism of Spanish marriage treaty by, 107–108.
 on Catholic policy, 1623, 99.
 Vaughan, William, rationalism of, 352.
 Vieuville, La, Marquis de, and French marriage treaty, 112.
 Vorstius, Conradus, 32, 48.
 controversy concerning, 334–338.
 Walsingham, Francis—
 biographical note on, 498, n. 1.
 on anarchy of Protestantism, 498.
 Ward, A. W., 424.—
 Warmington, William—
 biographical note on, 508, n. 1.
 on civil loyalty of spiritual Catholic group, 507–508.
 Watson plot, 60–61.
 Weemse, John, on liberty of conscience, 211.
 Westminster Assembly, 201, 456, n. 1, 485.
 White, Thomas, career of, in Holland, 223–224.
 Whitgift, John, and Erastianism, 454–455.

DEVELOPMENT OF RELIGIOUS TOLERATION IN ENGLAND

Wightman, Edward—
heresies and execution of, 47-51.
Neile's reflections on, 164-165.

Wilkes, William, denunciation of
Puritanism by, 21.

Williams, Griffith, Bishop of
Ossory—
biographical note on, 155, n. 6.
on liberty of conscience, 155.

Williams, John, Lord Keeper and
Bishop of Lincoln, 170.
defence of James I's Catholic
policy by, 101.
opposition of, to Spanish marriage
treaty, 106.

Wilson, Matthew—
controversy of with Chilling-
worth, 380, n. 1.
on anarchy of Protestantism, 499.

Windebank, Sir Francis, 189, 191,
365.

Winwood, Sir Ralph, in Vorstian
controversy, 336.

Wither, George—
ideal of comprehension of, 417 ff.
on clerical bigotry, 414 ff.
on fundamentals of faith, 417-
418.
on private judgment, 419-420.
on spiritual coercion, 415-416,
418.
pessimism of, 413-414.
rationalism of, 417 ff.
thought of, 412-421.

Wither, George, the Puritan, 454.

Wotton, Sir Henry, 402.
on clerical bigotry, 363-364.
on fundamentals of faith, 363-
364.
thought of, 363-364.

Yonge, W., 105.

OVERLEAF
*particulars of publications
of similar interest
issued by*



GEORGE ALLEN & UNWIN LTD
LONDON: 40 MUSEUM STREET, W.C.1
LEIPZIG: (F. VOLCKMAR) HOSPITALSTR. 10
CAPE TOWN: 73 ST. GEORGE'S STREET
TORONTO: 91 WELLINGTON STREET, WEST
BOMBAY: 15 GRAHAM ROAD, BALLARD ESTATE
WELLINGTON, N.Z.: 8 KINGS CRESCENT, LOWER HUTT
SYDNEY, N.S.W.: AUSTRALIA HOUSE, WYNYARD SQUARE.

Phenomenology of Religion

by G. Van der Leeuw

Small Royal 8vo.

TRANSLATED BY J. E. TURNER

30s. net

This book is not meant as a "History of Religion," but it seeks to penetrate beyond the facts to the underlying mental attitude. This being scarcely possible from the standpoint of the mere onlooker, it has been necessary not only to refer constantly to our own Christian religion, but also to those manifold religious tendencies that are at the bottom of even largely secularized civilization. In other words: the book tries to see the various phenomena, primitive, antique, and modern, not only as a singularly imposing and interesting pageant, but to go among them and, as it were, to "live them again." In the words of Chesterton: "A man can understand a great deal of anthropology merely by being a man. He is himself the animal which he studies." This should, however, not be taken to imply that the facts are regarded as of secondary importance. On the contrary, they are set forth with all due care and, whenever possible, in the words of the religious texts concerned. Also the human tendency to believe and to worship is not meant to be the essence of religion; throughout the book it is held that, in the experience of the believer, religion is never a mere tendency, but in the first and foremost place a working of the Divine, that not man is the agent, but God.

Selves and Their Good

by Helen Wodehouse

Crown 8vo.

3s. 6d. net

The author discusses the meaning of a man's "own" good; and of self-realization and self-transcendence; and the problem of an integral or common Good. The view taken is that selves should be pictured not as closed boxes of needs, but as foci for the needs of a situation, or of a world. Any flaw in the harmony is as likely to fall within the range of oneself (through a clash in his interests) as to fall between oneself and another. A short appendix deals with the relation of "ought" and "good."

A Banker Meets Jesus

by Roland Hegedues

Crown 8vo.

TRANSLATED BY M. L. CHRISTLIEB

2s. 6d. net

"The book is poetry, the song wrung from a man's soul as he came in contact with God, and so that it may make its real impression it needs to be read as a whole. Then it is seen for what it is—the lifting of a man above the currents of the world's life to see it freshly and, in spite of its storm, to see it with adoration for its Maker."—*Times Literary Supplement*

Christ For Us and In Us

by Rev. Campbell N. Moody

Crown 8vo.

3s. 6d. net

"Mr. Moody's essay is a careful restatement of the doctrine of the Atonement; it is particularly valuable because the author stresses our union with Jesus Christ and so removes from the Atonement that idea of judicial substitution which so many find hard to understand."—*Listener*

"Every argument is based on the ripe knowledge of a sound theologian. We cordially recommend this book to those who have become unsettled in their faith through an overdose of modernism."—*Record*

LONDON: GEORGE ALLEN & UNWIN LTD

BW5027 .J82 v.2
The development of religious toleration

Princeton Theological Seminary-Speer Library



1 1012 00001 9002

